

# Exhibit C



# Temple University

## Employee Manual

Temple University Department of Human  
Resources Employee Manual  
Revised: September 2020

## **Disclaimer**

Nothing in this Employee Manual constitutes a contract, express or implied. Temple University, in its sole discretion, may modify, alter, delete, suspend, or discontinue any part or parts of the policies in this manual at any time, with or without prior notice to its employees. Unless otherwise specified, any such change to the Employee Manual shall apply to existing as well as future employees. The Human Resources Department is responsible for developing and implementing personnel policies. Policies and procedures may change with approval of the appropriate University Officer. No employee may rely on or otherwise interpret a statement or promise by a supervisor, manager, or department head as constituting a change in policy, nor will any such statement or promise constitute an agreement between the University and an employee. Unless otherwise covered by a collective bargaining agreement or written contract with fixed terms of employment, all Temple University employees are what the law terms “at-will” employees, and nothing in this Employee Manual changes their “at will” employment status. An at-will employee may end his or her employment at any time, for any reason, with or without notice to Temple University, with or without cause. Likewise, Temple University may terminate an at-will employee at any time, with or without notice, for any reason, with or without cause. Further, an at-will employment relationship with Temple University does not create an express or an implied agreement for continued employment for any period of time.

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# **Introduction**

## **1.1 Welcome to Temple University**

Welcome to Temple University and to what we hope will be a long, productive, and deeply satisfying career at one of America's finest urban research universities.

Temple was founded in 1884, to serve outstanding, motivated people of all backgrounds, and more than 120 years later, Temple still embraces the tradition of access to excellence.

Yet today's Temple is also on the move. In recent years, academic standards, student enrollment, groundbreaking research, facilities construction, alumni involvement, the vibrancy of campus residential life, and the university's impact on the surrounding community have all surged. Temple's staff, faculty, and students have developed an extraordinary amount of momentum; we hope you can feel that energy.

This employee manual was prepared to help you become familiar with Temple and its policies and procedures. Please read it carefully. If you have questions or concerns, please speak with your supervisor who should be able to answer most of your questions or direct you to someone who can. If you need further information or assistance, please contact Temple's Human Resources Department at 215-926-2201, or 7-2201 if you are calling from a campus telephone.

On behalf of Temple's extended family, thank you for joining us. We look forward to working with you.



## **1.2 About Your Employee Manual**

The purpose of this Employee Manual is to provide employees with a ready source of information about Temple University and the policies and procedures it has established. Although Temple University has tried to be comprehensive, the manual does not, and cannot, include policies that address every situation that may arise. Temple University has, and reserves, the right to adopt new, alter or cancel existing policies and procedures at any time. The official copy of all policies and procedures in this manual, including revisions, can be found on the Human Resources website at [www.temple.edu/hr](http://www.temple.edu/hr) or the university policies website at <https://policies.temple.edu>. The policies and procedures set forth in this manual apply to all faculty, staff, student workers, including those receiving work study and volunteers. Applicable collective bargaining agreements or Board of Trustees' policies included in the faculty handbook may provide for variations in certain matters, including employee benefits, contained in the manual. In such circumstances, the benefits and policies set forth in those authoritative documents supersede the policies and procedures contained in this manual with regard to covered individuals.

An employee's department may have additional specific procedures for many of the general policies stated in the manual. Each employee is expected to learn his/her department's procedures and comply with them. In the event of any conflict between policies in this manual and departmental procedure, the policies in this manual supersede and control. Each employee is also expected to conform to the professional standards of his/her occupation. Questions regarding this manual or any of the policies should be directed to your supervisor, department head, or to the Human Resources Department, located in Temple Administrative Services Building (TASB), 2450 West Hunting Park Avenue, 1st Floor, at 215-926-2201.

## **About Temple University**

### **2.1 Temple University—of the Commonwealth System of Higher Education**

Founded in 1884 by Dr. Russell Conwell as an informal adult-education outgrowth of his Baptist Temple ministry, Temple College was chartered in 1888 and incorporated as Temple University in 1907. In 1965, Temple became a member of the Commonwealth System of Higher Education, and is one of three state-related, comprehensive research universities in Pennsylvania.

Today's Temple has faculty in 17 schools and colleges, including five professional schools. Two of Temple's eight locations are in North Philadelphia: the 115-acre Main Campus and 17-acre Health Sciences Center. Center City Philadelphia is home to the School of Podiatric Medicine and Temple University Center City, which serves the credit and non-credit education and enrichment needs of area corporations and residents. Temple's 186-acre campus in suburban Ambler offers programs in community and regional planning, horticulture, landscape architecture and other majors; and a professional center in Fort Washington offers credit and non-credit courses for adult learners. An eighth location is in the heart of the state's capital, Harrisburg. Around the world, Temple has campuses in Rome and Tokyo, and the university operates study abroad programs in London, Beijing, Paris and other locations worldwide. <https://www.temple.edu/academics/campuses>

#### **Temple University's Mission Statement**

Temple University is a national center of excellence in teaching and research with an international presence. Temple's talented faculty and its broad curriculum of over 300 academic programs provide superior educational opportunities for academically talented and highly motivated students, without regard to their status or station in life. Temple's richly diverse student population and the dramatic growth of Temple's residential campus community of student scholars enrich the educational and extracurricular life of all Temple's people. While the University especially serves students from Greater Philadelphia, it is enlivened by a rapidly increasing number of students from across Pennsylvania, throughout the nation, and around the world. Temple maintains an international presence with campuses in Tokyo and Rome and prestigious programs in London, Beijing, and six other locations worldwide. A long-time leader in professional education, Temple prepares the largest body of practitioners in Pennsylvania and is among the nation's largest educators in the combined fields of medicine, dentistry, pharmacy, podiatry and law. In addition, Temple offers more than four dozen doctoral and more than 100 master's degree programs that contribute to research and scholarship. Temple seeks to create new knowledge that improves the human condition and uplifts the human spirit. To achieve this goal, Temple maintains its commitment to recruiting, retaining, and supporting outstanding faculty that prize diversity of thought, excel in scholarly endeavors, and support the aspirations of capable students.

### **2.2 Department of Human Resources**

Temple University's Human Resources Department operates as a strategic partner and internal consultant to the entire Temple University community, supporting the university's

focus on academic excellence and research. It utilizes progressive human resource practices to foster positive change, anticipate needs and establish processes that will best serve its constituents. The Human Resources Department develops, promotes and provides a framework for ethical, consistent and fair treatment, constantly seeking to hire, retain and support a diverse and highly qualified workforce.

### **Human Resources Department's Mission Statement**

The mission of the Human Resources Department is to sustain and advance the university's goals through the attraction and retention of a quality workforce. The Human Resources Department accomplishes this mission by providing exceptional services that are integrated and strategically aligned to the teaching, research and social missions of the university. Its benefits, payroll, compensation, employment, employee relations, learning and development, and labor relations services support organizational effectiveness and individual achievement. The Human Resources Department is committed to attracting, hiring, supporting, developing and recognizing Temple University's most valuable resource: it's PEOPLE.

The Human Resources Department has the following three locations:

Main Campus, 1913 N. Broad St., Mitten Hall, Room 40 Lower Level,  
215-204-7174 (1-7174)

Health Sciences Campus, Room 300 Student Faculty Center, Broad and Ontario Streets,  
215-707-5135 (2-5135)

Temple Administrative Services Building (TASB), 2450 West Hunting Park Avenue,  
1st Floor, 215-926-2201 (7-2201)

The complete HR staff directory is found on the HR website at

[www.temple.edu/hr/resources/directory.htm](http://www.temple.edu/hr/resources/directory.htm)

## **2.3 Sustainability**

Temple University is committed to fostering a pervasive culture of environmental responsibility throughout the university. It is incorporating sustainability principles (meeting the needs of the present without compromising the ability of future generations to meet their own needs) into the university's strategic, operational, academic and service priorities. The sustainability efforts will encompass a balanced approach that respects the environmental, economic, social and communal aspects of its choices to ensure that Temple designs forward-looking, practical and affordable programs for sustainability. More information about our sustainability efforts can be found on the Office of Sustainability website at [www.temple.edu/sustainability](http://www.temple.edu/sustainability).

## **The Temple Community**

### **3.1 Employee Categories**

Temple University has developed categories so that employees understand their employment status. These categories, in and of themselves, do not guarantee employment for any specified period of time.

Most Temple University employees fall within various categories:

Full-time, part-time,  
Exempt or non-exempt, and  
Bargaining unit or non-bargaining unit.

Categories found within the Temple University community are outlined below.

### **3.2 Full-Time, Part-Time, Introductory/Probationary and Temporary Employees**

FULL-TIME REGULAR employees are those who are not in a temporary or introductory status and who are regularly scheduled to work thirty-five (35) hours or more per week.

PART-TIME REGULAR employees are those who are not assigned to a temporary or introductory/probationary status, and who are scheduled to work fewer than 35 hours per week.

INTRODUCTORY/PROBATIONARY employees are those whose performance is being evaluated to determine whether further employment with Temple University is appropriate. (See Section 10.7)

TEMPORARY employees are those who are hired as interim replacements, to supplement the workforce temporarily, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status or any right to continued employment.

### **3.3 Exempt and Non-exempt Employees**

Each employee is classified as either Non-Exempt or Exempt in accordance with federal and state wage and hour laws.

NON-EXEMPT employees receive overtime pay under the specific provisions of federal and state laws and any applicable collective bargaining agreement.

EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws mandating overtime pay, and generally do not receive overtime pay.

In addition to the above categories, most Temple University employees belong to one of the employment categories described below.

### **3.4 Bargaining and Non-bargaining Unit Employees**

Temple University recognizes several unions as the bargaining representatives of various groups of employees. The terms and conditions of employment of bargaining unit employees are governed by the applicable collective bargaining agreements. To the extent they differ, the benefits and policies set forth in the collective bargaining agreement and the applicable work rules adopted by Temple University pursuant to that agreement supersede this Employee Manual.

All employees not covered by a collective bargaining agreement are Non-Bargaining Unit Employees.

### **3.5 Student Workers**

Student workers are students currently enrolled and regularly attending classes at Temple University. Their employment by a university department, both on and off-campus, is incidental to their primary purpose of pursuing an academic course of study. Student workers, including those eligible to receive work-study and international students, are subject to additional requirements as set forth by the Office of Student Financial Services and International Affairs, respectively.

Please consult the separate Student Worker Policy and Procedures maintained by Payroll Management.

### **3.6 Volunteers**

Temple University's volunteer policy is located on University Counsel site under Policy and Procedures. For more information please visit <https://counsel.temple.edu/>

## **Starting Your Job**

## **4.1 Employment Applications and Other Forms**

Temple University relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and during your employment. All new employees and rehires are required to complete I-9 forms within three days of beginning work. .

Additional forms which may be required during the onboarding process include, but are not limited to:

- Criminal History Disclosure
- W-4 Employee Withholding Allowance Certificate
- Acknowledgement of confidential information policy
- Acknowledgement of Employee Manual and Rules of Conduct
- Acknowledgement of Worker Compensation Rights and Responsibilities
- Other related new hire documents

Current employees may be required to update or execute any of the above forms. Any employee who misrepresents information on the above forms; fails or refuses to complete the above forms or to provide Temple University with requested documentation may be subject to discipline, up to and including termination from employment.

## **4.2 Background Checks**

Temple University conducts background checks for individuals recommended for hire in certain selected positions. Examples of the type of positions for which Temple University may conduct a background check include, but are not limited to:

- positions that are designated as financially sensitive, such as billers, accounts payable staff, bursars office staff, medical receptionists/schedulers and cashiers, and employees who are authorized purchasing card users.
- positions that require driving a Temple owned vehicle as an essential duty of the position, such as drivers, coaches and refuse haulers, or driving for official Temple University business.
- positions that involve work with minors, such as coaches, admission counselors, clinic workers, summer camp staff, and after school program coordinators.
- positions that are safety and security sensitive, such as security officers and police officers.
- positions that provide access to student living areas, such as resident directors and student health specialists.
- positions that require access to radioactive and other biohazardous materials.
- Positions that work in a healthcare related school, college, or department or funded in whole or part by a grant.

Background checks may include, depending on the position, a criminal history check, a civil litigation check, an FBI clearance, a motor vehicle driving record and accident history, an OIG (Office of the Inspector General) check, and a child abuse history check. A list of positions subject to these checks is available in the Human Resources Department.

Individuals who are in a position that interacts with minors are subject to the background checks pursuant to the Child Protective Services Law, Title 23 Pa. Cons. Stat. Chapter 63, Section 6344 (the “CPSL”).

Information received through the background check process will not necessarily disqualify the applicant from further consideration or eventual hiring. The results of any check will be considered in light of surrounding circumstances, including, and without limitation to: the nature and gravity of the incident(s) reported, the time that has passed since, remedial actions taken by the individual, and the nature of the position and the potential impact of the incident(s) on the person’s ability to perform the duties of the job safely and appropriately.

### **4.3 Accuracy of Personnel Information**

All employees are expected to provide truthful, complete and accurate information in connection with their employment and/or the employment of another employee by Temple University.

Any falsification or misrepresentation of information in connection with application materials is a serious offense and grounds for termination from employment or non-selection of an applicant. University employees must notify the Human Resources Department immediately of a plea of guilty or *nolo contendere* or conviction for a felony, or any drug-, alcohol- or sex-related offense. Failure to disclose on an application or report any such conviction is likewise grounds for disciplinary action up to and including termination from employment. Supervisors should notify the Human Resources Department immediately upon being informed of any such felony plea or conviction.

Falsification of any information, including providing false or dishonest information regarding another employee, is grounds for disciplinary action up to and including termination from employment.

### **4.4 Pre-employment Health Assessments**

After an employment offer has been accepted, Temple University may require a pre-employment health assessment, including a drug screening or other blood or urine test as it deems appropriate (See Section 11.10, Drug & Alcohol Testing). This pre-employment health assessment will be used to determine whether or not the applicant is capable of performing the essential functions of the position, with or without reasonable accommodation. Upon request by an applicant, Temple University will make a reasonable accommodation for qualified individuals with disabilities.

Jobs with exposure to lead, heavy metals, pesticides or chemicals may require baseline blood or urine testing. Positions with potential exposure to asbestos or other airborne hazards may require respiratory tests and X-rays. Other jobs may require TB and blood-borne pathogen immunization. Work with some wild or domestic animals may require a medical screen. Positions with exposure to noise levels above 85 decibels may require a baseline audiogram.

The results of a pre-employment health assessment will be considered in the context of the essential functions of the job. However, the actual report will not become part of the official personnel file, will remain confidential, and will be maintained by the approved physician of record.



#### **4.5 Employment Eligibility**

The Immigration Reform and Control Act mandates that Temple University verify the identity and work eligibility of all employees. Therefore, within three workdays of the start of employment, all employees must provide the Human Resources Department with proof of employment eligibility and identity, and complete and sign the I-9 form.

Any individual who fails to provide necessary, original unexpired documentation to Human Resources within three days of start of employment will be suspended without pay pending termination. The Human Resources Department has a list of acceptable documents that establish identity and/or employment verification.

#### **4.6 Sponsorship of Foreign Nationals for Lawful Permanent U.S. Residence**

Temple University typically will sponsor foreign nationals who are full-time, regular members of the faculty in tenure and tenure-track academic job classifications, provided the Dean of the School or College and department chair agree to support the application. These positions include professor, associate professor and assistant professor. To see the entire policy, go to the HR website at [www.temple.edu/hr/managers/index.html](http://www.temple.edu/hr/managers/index.html).

#### **4.7 Identification Cards**

The Human Resources Department will issue a photo identification card to all employees. Every employee is required to display his or her identification so that it is visible when entering university buildings, offices and facilities. Any employee refusing to show his or her Temple ID when requested will be subject to disciplinary action up to and including termination from employment.

The OWLcard Office will issue identification cards to individuals who are not Temple University employees but require access to university services or facilities. Any individual who loses a Temple University-issued identification card should notify either the Human Resources Department or OWLcard Office immediately. A fee may be charged to replace a lost card.

The ID card remains Temple University property and must be returned along with all other university property when an individual leaves Temple University for any reason.

#### **4.8 New Employee Orientation**

During the first few weeks of employment, an employee must participate in a mandatory benefits orientation program and a general orientation program conducted by the Human Resources Department. During orientation, each employee will receive information regarding university policies (including Temple University's anti-discrimination and anti-harassment policies), compensation and benefit programs, and other general information about the university.

The orientation program is a way to learn about the university and applicable employment policies and benefits. Supervisors are required to permit employees to be excused from their regular job duties to participate in these orientation programs. Departments are also expected to provide new employees with a more specific orientation about the department and the specifics of each job assignment.

## **Reporting To Work**

### **5.1 University Office Hours**

The office hours of administrative offices may differ at the discretion of Temple University.

### **5.2 Regular Work Schedules**

Temple University has a typical workweek of 40 hours per week, excluding time off for lunch and personal breaks. The scheduled hours for employees may vary from department to department. All full-time, non-exempt employees generally work a Monday through Friday schedule of 40 hours divided into five, eight-hour workdays, unless the employee's employment letter or departmental needs differ.

Exempt employees have been hired to perform particular duties associated with a position, without regard to specified hours. As a result, exempt employees are expected to work the hours necessary to complete their assigned work to the satisfaction of their supervisor, without regard to scheduled hours and without expectation of additional compensation. Schedules with fewer than 35 hours per week are considered part time.

Lunch periods must be taken, are unpaid, and are not included in calculating the hours worked in a particular pay period. While a one-hour unpaid lunch period is recommended, the minimum lunch period must be at least 30 minutes. Departments have the responsibility as well as the flexibility to determine the lunch schedule.

## **Time Away from Your Job**

### **6.1 Holidays and Personal Days**

The University recognizes the following paid holidays for all full-time employees not covered under a collective bargaining agreement:

New Year's Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Independence Day	Day before Christmas
Labor Day	Christmas Day

Three additional personal holidays, which may be scheduled in accordance with an employee's personal preference and prior department approval, are also provided to employees each fiscal year. Employees are eligible for paid holidays from their date of hire. However, during an employee's first fiscal year with Temple University, personal holidays are pro-rated based on date of hire, as follows:

Hired July–September	3 personal days
Hired October–December	2 personal days
Hired January–March	1 personal day
Hired April–June	0 personal days

Regular part-time employees consistently scheduled to work 20 hours or more per week are eligible for pro-rated holiday pay, provided the holiday falls on a day that they are regularly scheduled to work.

Any employee absent without pay the workday before or after the holiday is not entitled to holiday pay. It is the responsibility of the supervisor to ensure that the department is adequately staffed in order to continue to provide effective services at all times.

Bargaining unit employees are subject to the holiday provisions in their collective bargaining agreement.

Employees who leave Temple University are not entitled to receive pay for any unused personal days or holidays.

### **6.2 Vacation**

Temple University grants paid vacation time each fiscal year to all eligible employees based on their length of service and employment classification. The approval of the employee's supervisor is required before requests for vacation will be granted. Supervisors and employees have the responsibility to plan vacation schedules that do not interfere with the operational requirements of the particular office or department. Employees are required to verify that any time not worked is

properly recorded as vacation time. The university has the right to designate any time not worked by the employee as vacation time in the event the employee fails to do so.

## **NEW HIRES**

Salary Grade Levels T21-T25: During the entire introductory/probationary period, including any extensions, employees will accrue vacation at the rate of one day per month. At the completion of the introductory/probationary period, employees will accrue vacation for the remainder of the fiscal year at the rate of 1.5 days per month, to a maximum of 15 days per fiscal year.

Salary Grade Levels T26 and above: During the entire introductory/probationary period, including any extensions, employees will accrue vacation at the rate of two days per month to a maximum of 20 days per year. During the introductory/probationary period, newly hired non-bargaining employees will be able to use vacation that has accrued. Temple University will not advance vacation time to introductory/probationary employees.

## **EXISTING EMPLOYEES**

### Salary Grade Levels T21-T25:

Effective at the beginning of the fiscal year following the completion of one year of service, employees are eligible to accrue 15 days of vacation per year.

Effective at the beginning of the fiscal year following the completion of 12 years of service, employees are eligible to accrue 20 days of vacation per year.

### Salary Grade Levels T26 and above:

Employees are eligible to accrue an annual vacation benefit of 20 days per year.

Regular part-time employees consistently scheduled to work 20 hours or more per week, are entitled to paid vacation on a pro-rated basis, calculated based on the number of hours worked.

Non-exempt employees may take vacation days in half-day increments or more. Vacation time is accrued monthly, provided the employee is paid through the 15th of the month. Vacation time does not accrue during any month in which the employee is not paid.

Employees who have successfully passed their introductory/probationary period will have vacation time advanced effective July 1 of each fiscal year with the understanding that if employment terminates prior to June 30 of the fiscal year, their allocation of vacation time will be determined on a pro-rated basis according to the active service they have completed during that year. An employee must work the full calendar month to earn the vacation accrual for that month.

Unused vacation time will not carry over into the next fiscal year. Likewise, vacation pay in lieu of time off will not be permitted. It is the responsibility of the supervisor to ensure that employees have the opportunity to use their eligible vacation time and to record vacation time used accurately in the university's electronic leave collection system. It is also the responsibility of the supervisor to monitor vacation scheduling to ensure that the department is adequately staffed to provide effective services at all times.

When resigning from Temple University, an employee should notify his or her supervisor in writing and the Human Resources Department at the earliest possible date; however, non-bargaining employees in pay grades T22 through T25 must provide at least 2 weeks written notice of resignation in order to be eligible to receive payment for unused vacation time. As well non-bargaining employees in pay grades T26 and above must also provide at least 2 weeks written notice of resignation in order to be eligible to receive payment for unused vacation time. Employees covered by a collective bargaining agreement are subject to the terms of that agreement. In no case may vacation time be added to extend the final date of employment, however, the university may agree to substitute paid leave for the notice period under certain circumstances

At the time of employment separation, vacation time earned and not used will be paid out in an employee's final paycheck or no later than the next regularly scheduled payroll. If an employee has used more vacation time than he or she has earned when the employee's employment is terminated (for any reason), an adjustment for the overage will be made in the final paycheck, as permitted by law.

The above does not apply to employees covered under a collective bargaining agreement. Employees covered under collective bargaining agreements are subject to the vacation and resignation provisions specified in their respective union agreements.

### **6.3 Sick Leave**

This section does not apply to employees represented by a union. Bargaining unit employees' entitlement to sick leave and usage is governed by the applicable collective bargaining agreement and rules of conduct.

Temple University recognizes that employees may have unexpected absences from work due to their own illness or the illness of an immediate family member. For purposes of this policy, "family members" include: (1) the employee's spouse/certified domestic partner, (2) the employee's parent, (3) the employee's natural or adopted child or dependent stepchild. Only current fiscal year sick time may be used for family members. Banked sick time may only be used for an employee's own sickness.

To provide employees with continued income during unexpected absences for illnesses, each non-bargaining, full-time employee will receive 10 sick days per year. Non-bargaining introductory/probationary employees will accrue sick days at the rate of one day per month up to 10 days during their first fiscal year of employment. Part-time employees, who regularly work in excess of 20 hours per week, are entitled to sick days on a pro-rated basis, calculated on the number of hours they work.

All sick days are for illness and are not simply extra days off with pay from work. Accordingly, Temple University does not compensate employees for any unused sick days. Rather, all unused sick days are contributed to a paid sick leave bank at the end of the year, which can be used in subsequent years for an employee's own illness. An employee who leaves Temple University is not entitled to payment for any unused sick days.

In the case of giving birth, an employee would be entitled to pay sick leave only for the period of medical disability, usually six to eight weeks. In the absence of medical complications, sick time will not be paid beyond that point.

Non-bargaining unit employees who become new parents through the assistance of a traditional or gestational surrogate, adoption, or foster care may use their current sick leave allotment (up to 10 days) to care for and bond with their new child during the first year of parenthood.

An employee is cautioned to use sick days sparingly. Unless on FMLA leave, university medical leave, or other university leave that is approved prior to the absence in accordance with this Employee Manual, any sick time usage that violates the work rules or otherwise demonstrates a pattern of abuse will be subject to progressive discipline, up to and including discharge from employment.

Temple University reserves the right to require documentation for any absence. There is no cap on the total number of sick days that an employee may bank.

The university is in compliance with the City of Philadelphia's paid sick leave law, "Promoting, Healthy Families and Workplaces" and eligible employees accrue paid sick leave, accordingly. More information can be found on the City of Philadelphia's Paid Sick Leave website.

#### **6.4 Bereavement Leave**

A full-time and regular part-time, non-bargaining unit employee will be granted the following paid bereavement leave to attend the funeral or mourn the recent death of a family member. Funeral leave may be taken between date of passing and the day after the ceremony/service/burial.

Relative	Paid Leave
Spouse, Parent, Child, Dependent Stepchild, Sister, Brother	4 days
Grandparent, Grandchild, Father-in-Law, Mother-in-Law	3 days
Grandparent-in-Law, Sister-in-Law, Brother-in-Law Son-in-Law, Daughter-in-Law	1 day

An employee shall notify his or her supervisor prior to taking such leaves. Temple reserves the right to demand proof of any death and relationship for which leave is taken.

## **6.5 Jury Duty**

Temple University will excuse any employee who is called to jury duty from assigned work duties on the days the employee reports to court. Employees called to jury duty shall be required to present a statement issued and signed by the Clerk of the Court stating the number of days the employee was on jury duty. Provided that the employee provides this documentation, Temple University will treat this absence as a paid leave. Temple University does not require the employee to turn over any fees paid to the employee by the court for jury duty.

Bargaining unit employees will be compensated in accordance with the applicable collective bargaining agreement.

## **6.6 Family and Medical Leave**

Temple University provides Family and Medical Leaves of Absence to employees as defined by the Family and Medical Leave Act (FMLA). This program provides job and benefit protection to qualified employees during their approved leave. To be eligible, employees must have worked 1,250 hours during the past year and have 12 months of service over the past seven years.

Qualified employees may take up to 12 workweeks of leave: to care for a newborn or newly adopted child, to recuperate from serious illness, to care for a seriously ill family member, or for a qualifying exigency arising out of the necessity that the employee's family member is on covered active duty (or has been notified of an impending call or order to covered active duty) in the regular Armed Forces Reserves or National Guard. If the employee is an eligible family member or next of kin of a covered service member, the employee may take up to 26 workweeks during a single 12-month period to care for a covered service member. FMLA leave may be taken on a continuous, intermittent or on a reduced-hour basis.

Employees are required to give at least a 30 day notice for a foreseeable events or notice as soon as practicable when the need for leave is unforeseeable. Temple University requires covered employees to use all unused sick days (if appropriate and in accordance with the Sick Leave Policy, Section 6.3), vacation, and personal holidays during any FMLA or disability leave. If the employee has exhausted all paid leave and is not receiving disability benefits through Temple University, the balance of the FMLA leave is unpaid. During an FMLA leave, an employee who is covered under one of Temple University's insurance (benefit) plans is responsible for paying his or her share of the cost of such coverage. FMLA entitles an employee to return to the same or similar position held prior to the leave.

For more information on FMLA and Temple University's FMLA procedures, please refer to the Benefits section on the Human Resources webpage at [www.temple.edu/hr/departments/benefits/fmla.htm](http://www.temple.edu/hr/departments/benefits/fmla.htm) or call the Benefits Office at 215-926-2282 (7-2282).



## **6.7 University Medical and Personal Leave**

Full-time or regular part-time (20 hours or more), non-bargaining employees who have exhausted their FMLA leave or do not qualify for FMLA leave may apply for either a Temple University medical leave or a Temple University personal leave. The combined duration of any such leave, including FMLA, vacation, sick days and personal days may not exceed one year.

Approval of a request for medical or personal leave is a discretionary determination by the university. If granted, a University Medical or Personal Leave does not guarantee that an employee may return to his or her position. If the employee returns from the leave within a year from the date the leave started, the university will make reasonable efforts to place the employee in an open position for which he or she is qualified. If there are no positions available, then the employment relationship will end.

Vacation, personal holidays and paid sick time do not accrue during any unpaid leave. Benefits will continue while an employee is on an unpaid leave provided that the employee pays the entire cost of such coverage. Benefits will be terminated for non-payment of premiums.

To be eligible for a medical leave, employees must have six months of continuous service and have either exhausted or are not eligible for a FMLA leave. To be eligible for a personal leave, employees must have completed at least one year of continuous service.

For more information on University Medical and Personal Leave procedures, please refer to the Benefits section on the Human Resources webpage at [www.temple.edu/hr/departments/benefits/fmla.htm](http://www.temple.edu/hr/departments/benefits/fmla.htm), or call the Benefits Office at 215-926-2282 (7-2282).

## **6.8 Leave Due to Domestic or Sexual Violence**

Employees may be entitled to time off under the Philadelphia "Entitlement to Leave Due to Domestic or Sexual Violence" Ordinance. To be eligible for this leave, an employee, or someone in their family or household, would have been the victim of domestic violence, sexual assault, stalking or other related crime. Although the ordinance stipulates this time as unpaid, Temple employees will be charged paid time in accordance with Temple University's sick, vacation and personal time policies before reverting to non-paid time. When applicable, this time may run currently with FMLA.

## **6.9 Pregnancy Accommodation Leave**

Women who have exhausted their FMLA or who are not eligible for FMLA, may request a leave accommodation under the Philadelphia Pregnancy Ordinance. Accommodations may be granted for time off for pre-natal and post-natal care and recovery.

## **6.10 Military Leave**

Temple University provides Military Leaves of Absence to employees as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994, which covers any employee who is called to or enlists for active duty in the Army, Navy, Marine Corps, Air Force, Coast Guard, Public Health Service Commissioned Corps, the reserve components of these services and the National Guard. Employees applying for such leave must provide notice as soon as practicable and “official orders” must be submitted as soon as possible.

An employee may use accumulated vacation or personal days prior to beginning their military leave of absence. For employees whose active service is 31 days or more, the university will continue the employee’s health benefits coverage for a period of 30 days from the date military leave begins, after which time the employee will have the option of continuing such coverage at his or her own expense while on active duty.

For more information on Temple University’s Military Leave of Absence procedures, benefits and reinstatement, please refer to the Benefits section on the Human Resources webpage at [www.temple.edu/hr/departments/benefits/fmla/uloamilitary.htm](http://www.temple.edu/hr/departments/benefits/fmla/uloamilitary.htm), or call the Benefits Office at 215-926-2282 (7-2282).

## **Understanding Your Benefits**

### **7.1 Benefits**

Benefit plan coverage is available to full-time employees and faculty members. Specific benefit plan eligibility is based on job classification, and, the effective dates of coverage will vary depending on the type of benefit and, for represented employees, on the terms of any collective bargaining agreements. Employees and faculty members must complete the applicable enrollment process in order for coverage to be in effect.

Employees and faculty members should contact the Benefits Office in the Human Resources Department for detailed information about plans and costs. Benefits information is also available on the HR website at [www.temple.edu/hr](http://www.temple.edu/hr).

The Benefits Office may be reached at 215-926-2270 (7-2270). The office is in TASB, 1st Floor, and is open Monday through Friday, from 8 a.m. to 5 p.m.

### **7.2 Notice of Privacy Regarding Personal Health/Medical Information**

Temple University values every employee, and the protection of employee privacy is very important to us. In conducting business, the Benefits Office in the Human Resources Department may create and maintain records that contain protected health information about an employee and the healthcare provided as a member of a benefit plan.

“Protected Health Information” is personal information about an employee or his or her dependents, which can be used reasonably to identify the employee and that relates to the

employee's past, present or future medical conditions, the provision of healthcare or the payment for that healthcare.

The Human Resources Department protects every employee's privacy by maintaining health-related information separate from the main personnel file. Human Resources limits disclosure of this information to those on a need-to-know basis. The university will produce this information to a third party upon receipt of a duly executed consent by the employee or a lawfully served subpoena or court order.

### **7.3 Personal Data Changes**

Each employee must ensure that all personal data is kept current and accurate. Employees are required to provide permanent residential addresses to Human Resources. Home and work addresses, telephone numbers, names and birth dates of dependents, emergency contact names and numbers, and other such information may be updated electronically on Self-Service Banner. SSB may be accessed from the Staff Tools tab of TUportal. In the event of a name change, a copy of the employee's new Social Security card must be submitted in person to the Human Resources Department to change the name on the payroll.

### **7.4 Health Insurance Benefits**

The university offers eligible employees medical insurance, which is generally effective upon hire date, subject to the employee's completion of the enrollment process. For information regarding the choice of carriers available, please see the HR website at [www.temple.edu/hr](http://www.temple.edu/hr). In addition, the university offers certain prescription drug coverage, dental insurance and vision care benefits as part of the employee benefit program. Additional information on these programs is available on the HR website or by contacting the Benefits Office within the Human Resources Department. Bargaining unit employees are covered by the benefits provision of the applicable collective bargaining agreement.

Eligible employees may elect single coverage or to cover their spouse or certified domestic partner and eligible children (biological, adopted or step). Employees are required to submit documentation such as marriage and birth certificates in order to insure dependents. The university subsidizes, in part, the cost of group health coverage with employees and faculty members contributing a percentage of the premium. Coverage and co-payments vary by job classification and by bargaining unit.

When an employee returns from any unpaid leave, regardless of whether or not he or she elected benefit continuation during the unpaid leave period, the benefit coverage that the employee received prior to the start of the unpaid leave will be reinstated as follows:

- When the return-to-work date is on or before the 15th of the month, benefits will be reinstated as of the first of that month.

- When the return-to-work date is after the 15th of the month, benefits will be reinstated on the first day of the following month.

An employee can elect to pay the full cost of health benefits during the unpaid leave period.

## **7.5 Life and Disability Benefits**

The university provides eligible employees with group term life insurance that is non-contributory. Employees may choose to purchase additional life insurance at their cost. The rate for additional life insurance varies by age. If additional life insurance is elected within 31 days of initial eligibility, there is no requirement for evidence of insurability.

Employees may also enroll in short- and long-term disability coverage. Disability benefits provide a level of income and benefit continuation for employees who are unable to work due to a disability.

Benefits vary based on job classification. Members of a bargaining unit should consult their collective bargaining agreement.

Details about all benefit plans, including eligibility and level of coverage may be found on the Benefits section of the HR website, located at [www.temple.edu/hr](http://www.temple.edu/hr).

## **7.6 Retirement Plan and Voluntary 403(b) Contributions**

The university offers several different types of retirement plans, which vary depending on job classification and collective bargaining agreements. Employees and faculty members should contact the Benefits Office in the Human Resources Department for information regarding their eligibility.

All employees paid on the university payroll system may elect voluntarily to make pre-tax or Roth 403(b) after tax contributions to a 403(b) account with Fidelity Investments and/or TIAA-CREF. The maximum amount an employee may contribute in any calendar year is limited by IRS regulations.

## **7.7 Flexible Spending Accounts**

Eligible employees may elect to participate in flexible spending accounts. There is one plan for health expenses and a second plan for dependent care expenses. Under both plans, employees make an election every December to contribute funds on a pre-tax basis for the subsequent calendar year. Funds are deducted from an employee's paycheck on a pre-tax basis for federal and FICA purposes. Employees submit their claims for reimbursement directly to the third-party administrator. In accordance with IRS regulations, employees may only submit expenses incurred during the specific calendar year. Any remaining money left in the account at the close of the

calendar year will be forfeited. The maximum contribution amounts may change based on changes in applicable laws or regulations.

## **7.8 Transportation Benefits**

Temple University offers regular full-time employees the ability to enroll in pre-tax transportation benefits. Both the election of and payment for these benefits are deducted through payroll deduction in advance. Employees who leave Temple University must ensure full payment for these benefits and are obligated to reimburse Temple University for benefits received but not yet paid. For more information, employees can refer to the Wage works website at [www.wageworks.com](http://www.wageworks.com).

Temple University also allows employees to pay for the monthly cost of parking in any of the Temple University owned-lots on a pre-tax basis. Employees who would like to sign up for parking should visit the Office of Parking Services.

## **7.9 Tuition Remission**

Temple University offers tuition remission benefits for certain regular full-time employees and faculty members, and their spouses and eligible dependents who are in compliance with all academic standards and policies. Employees may not use tuition remission benefits unless their account is current or the employee has made arrangements to pay any past due balance in full by the end of the current semester.

Forms authorizing Temple University to advance the outstanding balance on the employee's behalf and deduct this amount in equal installments, beginning with the next payroll period and continuing through the last pay period prior to the end of the semester, are available in the Bursar's Office. For bargaining unit employees, the terms of the collective bargaining agreement with regard to tuition remission apply.

The following persons are eligible to participate in Temple University's tuition remission program for courses taken at Temple University:

- Full-time faculty, subject to the collective bargaining agreement between TAUP and Temple University
- Regular full-time administrative and non-administrative staff
- Spouses of tenured, tenure-track faculty, and faculty "grandfathered" as Special Appointment Faculty
- Spouses of regular full-time administrative staff (T-26 and above)
- Legally dependent children of full-time faculty and regular full-time staff, including natural, adopted or non-adopted stepchildren of the employee who are less than 24 years of age when initially enrolled in a Temple University undergraduate degree program. If the dependent child leaves the university and re-enrolls within a five-year period, then he or she will be eligible to use tuition remission for any remaining semesters.

Tuition benefits begin the first day of the semester after hire date or date upon which the faculty member or staff member becomes a full-time employee. Employees who terminate employment with Temple University prior to the beginning of the semester for any reason other than official retirement are not entitled to any further tuition remission benefits. Employees whose employment with Temple University is terminated for any reason (other than official retirement from Temple University) after the start of the semester will continue to receive the tuition remission benefits through that semester only.

Employees and their eligible dependents receiving tuition remission must remain in academic good standing and must have paid all balances due on the account for fees that are not otherwise paid through the tuition remission benefits. In no case may an employee or dependent accept both tuition remission and scholarships in excess of 100% of the cost of tuition.

Full-time faculty and non-bargaining administrative staff who retire from Temple University are eligible for the same tuition remission benefits for which they were eligible the day of retirement.

No tuition remission is given for courses taken in Temple University's schools of Law, Medicine, Dentistry or Podiatric Medicine, with the exception of specially designated graduate courses as determined by the Dean's Offices of the specific professional schools. In the School of Pharmacy, tuition remission is limited to undergraduate programs.

Graduate tuition benefits may be considered a taxable benefit. The value of graduate tuition benefits will be included in the employee's taxable wages, and all applicable taxes will be withheld during the year the tuition benefits are received.

The benefit entitlement for eligible employees and eligible dependents is as follows:

- Employee: Beginning the first semester after hire, 100 percent tuition remission for eligible Temple University courses, up to eight (8) credits for undergraduate and/or graduate courses per semester.
- Employee's Spouse: Beginning the first semester after hire, 50 percent tuition remission for eligible Temple University courses.
- Employee's Dependent Children:  
Dependent children of eligible employees who were hired prior to July 1, 2014\*: 100% undergraduate tuition remission
- Dependent children of eligible employees hired July 1, 2014\* and after:  
Year one of service: 50% undergraduate tuition remission  
Year two of service: 75% undergraduate tuition remission
- Beginning the first semester following completion of 3 years of service: 100% undergraduate tuition remission

\*This date applies to non-bargaining employees and faculty. Employees and faculty covered under collective bargaining agreements are subject to the tuition remission provisions specified in their respective agreements.

Employees who leave the University and are rehired are treated as new employees for purposes of determining eligibility for tuition remission for dependent children.

- Fall/spring semesters: tuition remission for up to 10 semesters to complete a degree in a Temple University undergraduate program. Dependent children may be full-time matriculated students, part-time matriculated or non-matriculated students.
- Summer sessions: An eligible dependent child who is a full-time matriculated student at any university, including Temple, may receive tuition remission for Temple University courses taken over the summer sessions. For purposes of this policy, either one or both consecutive summer sessions are counted as a single semester, and therefore, will be counted as one of the 10 semesters for which a dependent child is eligible under Temple University's tuition remission program.
- Temple Abroad: An eligible dependent child who is a full-time matriculated student at any university, including Temple, may receive tuition remission for Temple University courses taken as part of Temple Abroad provided that he or she applies for and is accepted into the program through Temple University's standard admission process.

If a full-time faculty member or employee having at least 10 years of service dies prior to retirement, his or her children, under the age of 24, are eligible for tuition benefits for up to 10 semesters, including any semesters already completed at the time of the parent's death.

Employees may register for any class that does not interfere with the employee's regular work schedule. Upon written request, a vice president or dean may approve a flexible work schedule for an employee to allow the employee to take a course during normal work hours. Under such an arrangement, the flexible schedule must not negatively impact the functioning of the office. In addition, the employee's regular work schedule must be adjusted to account for the time spent at class.

In any given semester, the value of tuition remission benefits on a per-credit-hour basis shall equal the per-credit-hour rate of the least costly program offering the degree at Temple University. For instance, the calculated rate of tuition remission per-credit-hour for the Executive MBA program will not exceed the standard per-credit-hour rate for the traditional MBA program.

#### **7.10 Health Benefits upon Termination (COBRA)**

Upon termination of employment for any reason other than gross misconduct, a qualified employee and any dependent enrolled in Temple University's health and dental care plans may elect continuation of coverage known as "COBRA." Under COBRA, the employee or family member may extend coverage for an additional 18 months (or 36 months, if applicable) on a self-pay basis at 102 percent of the total coverage cost.

### **7.11 Domestic Partner Benefits**

Temple University offers domestic partner benefits to all of its non-bargaining unit employees and to any bargaining unit employees whose contract provides for such benefits. To be eligible for any benefits under this policy, an eligible employee must certify that he or she is a member of a domestic partnership under Temple University's domestic partnership policy. Information concerning the certification criteria and procedures is available in the Benefits Office and on the Human Resources website at [www.temple.edu/hr](http://www.temple.edu/hr).

Certified domestic partners are eligible for health insurance, dental insurance and vision care. In addition, certified domestic partners are eligible for certain benefits that would otherwise be available to/for a spouse under the Tuition Remission Policy, Bereavement Leave Policy, Sick Leave Policy, Family and Medical Leave Policy, and Health Benefits upon Termination. Children of certified domestic partners are eligible for benefits on the same bases as dependent stepchildren (i.e., the employee must demonstrate that the child is the legal dependent of the employee's certified domestic partner, and that the employee has assumed financial responsibility for the child of his or her domestic partner).

The premium charged to employees who are eligible for and elect insurance coverage for their certified domestic partner and/or dependent children of a certified domestic partner under this policy are the same co-pays charged to university employees electing insurance coverage for their spouses and/or their covered children, however there may be additional tax implications for such coverage.

### **7.12 Employee Home Ownership Program**

Temple's Employee Home Ownership Program strengthens the university's commitment to the community by helping employees invest in home ownership. Temple provides access to several financial programs for full-time staff and faculty who purchase and reside in single family homes in the communities surrounding the Main and Health Science Center campuses.

Full-time employees are eligible to receive forgivable loans of \$4,000 or \$5,000 from Temple toward the purchase of a single family home in selected ZIP codes. Loans will be forgiven over a four- or five-year period. The City of Philadelphia, through its Home-Buy-Now program may match Temple's contribution. The City's match is a grant and does not need to be repaid.

For more information, employees should refer to the HR website at [www.temple.edu/hr](http://www.temple.edu/hr).

### **7.13 Workers' Compensation**

Temple University provides workers' compensation insurance coverage to employees as defined by the Pennsylvania Workers' Compensation Act. For purposes of this section, faculty, staff, student workers, work-study students and recognized volunteers are considered employees. This program provides medical and/or wage loss benefits to employees who suffer an injury or illness in the course and scope of their employment. Employees are required to report all work-related accidents and illnesses immediately to their supervisor (department head or chair), even if they



do not require medical treatment. The supervisor and the employee will then complete and submit a workers' compensation incident report to the Workers' Compensation Department for processing. In order for medical benefits to be paid under this program, employees must seek treatment from a provider listed on Temple University's panel of healthcare providers. Employees whose claim for workers' compensation is accepted are required to attend all scheduled appointments until they are discharged from care.

For more information on Temple University's workers' compensation procedures, including Employee's Rights and Responsibilities and a listing of the panel of healthcare providers, please refer to the Benefits section on the Human Resources webpage at [www.temple.edu/hr/departments/benefits/workerscomp.htm](http://www.temple.edu/hr/departments/benefits/workerscomp.htm), or call the Workers' Compensation Department at 215-926-2286 (7-2286).

## **Your Pay and Expense**

### **8.1 Payroll Taxes and Tax Reporting**

Federal, state and local laws require the University to withhold the applicable taxes from each payment made to an employee at the time it is actually or constructively paid, not when the wages are earned and become payable, and to issue the appropriate tax documents annually. Upon hire, each employee is required to complete a W-4, Employee's Withholding Allowance Certificate that determines the amount of federal income tax withheld from each pay based upon the filing status and the number of withholding allowances claimed by the employee. Please refer to the Human Resources website at [www.temple.edu/hr/departments/payroll/payrolltaxinfo.htm](http://www.temple.edu/hr/departments/payroll/payrolltaxinfo.htm) for detailed payroll tax information including current tax rates.

### **8.2 Payroll Schedules**

Temple University pays its employees on a monthly or biweekly basis depending on job classification. The pay cycles are as follows:

**Monthly Pay:** The monthly pay cycle runs from the first calendar day of the month through the last calendar day of the month. University employees on a monthly payroll schedule receive their compensation on the last working day of the month.

**Biweekly Pay:** The biweekly payroll runs for a 14-day period, or in general, 26 times per year. The biweekly pay cycle begins on a Saturday and ends on a Friday. Employees on the biweekly payroll are paid on Friday following the pay period end date.

All employees classified as non-exempt under the Fair Labor Standards Act (FLSA) are required to record hours worked in the university's web-based time and attendance system. Employees are not permitted to work overtime unless approval is received in advance from their supervisor.

### **8.3 Faculty Pay Schedule**

All base pay for full-time continuing faculty members for either an academic year or fiscal shall be paid over 12 months in equal installments.

For faculty paid for the fiscal year, annual pay shall begin in the month the individual begins their responsibilities at Temple. All pay is current to the month in which it is earned.

For faculty paid for the academic year (9 months: September-May) earnings shall be paid in 12 equal installments from July to June, which is coincidental to the university's fiscal year. Faculty members on an academic year basis who do not have a July appointment date will receive 2/12 of their salary if first paid in August or 3/12 if first paid in September. Non-tenure track faculty (NTT) in their first appointment at Temple University, or NTT faculty who may be returning after an interruption in service, shall receive their academic year salary paid in 10 equal installments for their first year beginning in September and ending in June. At the end of June, the individual faculty member's salary will be recalculated to 12 equal installments if the individual is continuing or appropriately reappointed. From that point forward, all NTT faculty shall be paid in 12 equal installments for the duration of their appointment at Temple.

Faculty who begin their responsibilities in the spring semester will receive their regular pay in equal installments beginning in January of the year in which they start.

Faculty who receive payment in the July and August payrolls but who leave Temple University for any reason prior to the commencement of the fall semester are required to reimburse the University for the July and August payment. Faculty who do not complete the fall semester may be required to reimburse the university for that portion of the July and/or August payment not earned by the faculty member in the fall semester. In such a case, the university will provide the faculty member with a detailed accounting of the amount of such overpayment.

### **8.4 Time Records**

The university uses a web-based electronic time and attendance system to record all hours worked including but not limited to overtime, shift premiums, time off with pay (vacation, sick, and personal days), and time off without pay for all non-exempt employees. Designated exempt employees are only required to record leave activity. It also tracks vacation usage and sick day occurrences for purposes of discipline, docking and FMLA absences.

Each department will designate the individuals responsible for administering the attendance information. Discrepancies should be reported to the department timekeeper or supervisor immediately for resolution. Any discrepancies not reported within two pay periods or by the end of the fiscal year cannot be corrected.

Employee attendance information must be kept completely, accurately and confidential. Falsification of time records is a serious offense. Any employee who falsifies his or her time record or falsifies the time record of another employee is subject to disciplinary action, up to and including termination from employment. Temple University also may report the incident to the proper authorities for investigation of theft of time for which the employee received monetary compensation.

Non-exempt employees who are requested to work without logging in are required to report this violation of law to the Human Resources Department immediately.

## **8.5 Distribution of Pay**

The university is responsible for paying employees for services performed. The Employee Statement of Earnings and Deductions (paystub) is produced and distributed electronically to university employees each payday. It is located on TUportal in the Pay and Tax Information channel on the Staff Tools tab. The paystub documents payments for services performed and all deductions withheld from an employee's pay. An employee has the responsibility of notifying management immediately if there is an error in the amount of his or her pay.

The university has an electronic pay policy. All employees paid by the university are required to enroll in direct deposit at the time of hire. Direct deposit enables the university to facilitate the distribution of pay to employees in a safe, secure and timely manner. In the event an employee does not enroll in direct deposit, a payroll debit card will be issued as an alternative. Employees can view or make changes to direct deposit information on TUportal in the Pay and Tax Information channel on the Staff Tools tab.

Regular full-time and part-time employees are permitted to have their pay deposited in at any bank and/or credit union of their choice within the United States as long as the financial institution is a member of the National Automated Clearing House Association (NACHA). Employees agree to permit the university to remove funds deposited into a bank account in error.

Bargaining unit members should consult their collective bargaining agreement to determine whether or not and under which circumstances they are eligible to request an advance in pay.

Paystubs contain confidential information and, as such, any university employee charged with the responsibility of handling this information must exercise extreme care when distributing pay-related documents to employees.

In the event that an employee is overpaid, he or she must notify the supervisor and payroll immediately and make arrangements for repayment. If no notification is received and overpayment is discovered, the university will take steps to ensure reimbursement and disciplinary action may result.

## **8.6 Voluntary Deductions from Wages**

Regular full- and part-time employees may agree to have wage deductions voluntarily withheld from their pay on a pay-period basis. These withholdings and deductions from an employee's pay are usually made in accordance with the terms of the program or type of deduction, and documented on the respective enrollment form. The deductions are withheld and stopped at the employee's discretion by contacting the responsible office.

Only Temple-sponsored programs are eligible for voluntary payroll deduction.

## **8.7 Involuntary Deductions: Garnishment and Wage Assignments**

Involuntary deductions are those over which an employer or employee has no control. The university is required by law to make the deduction from an employee's paycheck when served with a withholding order to deduct a certain amount of an employee's pay and send it to a person or governmental agency to satisfy the employee's debt or obligation. If an employee believes that the garnishment or withholding order was issued in error or is otherwise invalid, it is the employee's obligation to obtain an order from the appropriate agency or court directing Temple University to cease the withholding. Until such time, the university will make any withholding as required by the order.

These withholdings are administered and remitted by Payroll Management to the appropriate agency in accordance with the terms of the withholding order or garnishment. Any changes or release from the attachment must be authorized by the authorizing agency or court issuing the garnishment or wage assignment order. The university will not discontinue an involuntary deduction without proper notice from the issuing agency or court. Payroll Management reserves the right to charge an administrative fee in accordance with the terms of state law and the terms of the garnishment.

## **8.8 Overtime**

The Fair Labor Standards Act (FLSA) has established minimum standards governing the payment of overtime, minimum wage, equal pay, record keeping and child labor provisions for non-exempt employees that the university must follow.

Non-exempt employees working in excess of their scheduled hours but fewer than 40 hours in a workweek are to be paid, at a minimum, at the straight hourly regular rate of pay. Non-exempt employees required to work by their supervisor for more hours than scheduled are to be paid at a minimum rate of 1.5 times their average straight-time hourly rate for all hours worked in excess of 40 hours in a single work week as established under the FLSA.

Exempt employees are not entitled to overtime compensation or compensatory time. Employees' represented by a collective bargaining unit should refer to the appropriate bargaining unit agreement for the terms regarding overtime payments including, but not limited, to premium pay.

## **8.9 Supplemental Payments**

To maintain strict compliance with Internal Revenue Service (IRS) regulations, the university has determined that all payments received by an employee that are not regular wages are “supplemental wages” as defined by the Internal Revenue Service and will be subject to income tax withholding based upon the current federal supplemental tax rate in effect at the time of the payment. Supplemental wages include, but are not limited to, the following types of payments:

Retroactive pay	Overtime pay
Severance	Dismissal pay
Bonuses	Back pay awards
Work during vacation	Unused vacation pay
Summer school pay	Commissions
Summer research fellowship	Non-qualified moving expenses
Tuition Remission	

## **8.10 Salary Docking of Exempt Employees**

Temple University complies with the provisions of the Fair Labor Standards Act and state and local wage laws. In accordance with these laws, and except as permitted by these laws, exempt employees generally are paid on a salaried basis, regardless of the number of hours they work in a given workweek. Temple prohibits any unauthorized deductions from the salary of such exempt employees.

It is Temple’s policy to make deductions from the salary of an exempt, salaried employee when he or she is absent from work only in accordance with the Fair Labor Standards Act as follows:

1. When an exempt, salaried employee who is absent from work for one or more full days for personal reasons, other than sickness or disability, and has no paid time off available, the employee’s salary for that week may be reduced for each day of his or her absence.
2. When an exempt, salaried employee is absent from work for one or more full days as a result of his or her own sickness or disability, including absences as a result of a work-related accident or injury, the employee will be compensated for this illness under Temple’s sick leave, disability or workers’ compensation policies, as appropriate. If the employee has no sick time remaining and is not eligible for disability benefits, the employee’s salary for that week may be reduced for each day of the employee’s absence.
3. When an exempt, salaried employee takes unpaid leave under the Family and Medical Leave Act, including intermittent leave, the employee’s salary may be reduced for each hour (or fraction of an hour) of unpaid leave taken.

4. When an exempt, salaried employee is suspended for violation of policies or Temple's workplace Rules of Conduct, the employee's salary will be reduced for the length of the suspension.

This policy addresses pay deductions from exempt, salaried employees based on the employee's absence from work. Salary deductions made as required by federal, state and local laws, deductions under Temple's benefit plans and any other voluntary deductions authorized by the employee are not covered by this policy.

An exempt, salaried employee, who believes that an improper deduction has been made from his or her salary, should report this deduction immediately to his or her manager and/or the Payroll Management Office. Temple will promptly investigate the employee's complaint. If an improper deduction has been made, Temple will reimburse the employee for the improper deduction.

## **8.11 W-2 and 1042-S Forms**

The Internal Revenue Service (IRS) allows the use and distribution of Form W-2 Wage and Tax Statements in electronic form in lieu of paper forms. Beginning with calendar year 2010, the university provides employees with electronic W-2 forms. The forms are available on TUportal. To access the Form W-2 through the designated link in the Pay and Tax Information channel on the Staff Tools tab, an employee must first consent to receive the W-2 form electronically. Electronic consent can be provided on the Tax Form Management website by following the prompts after clicking on the W-2 link in the channel on TUportal. Employees who do not consent will receive a paper W-2 form that will be mailed to the permanent address on record at the time of printing. Terminated employees who provided online consent AND no longer have access to the Staff Tools tab on TUportal will access the electronic Form W-2 directly from the Tax Form Management website at [www.mytaxform.com](http://www.mytaxform.com).

1042-S forms are also issued electronically using the university's third-party Online Nonresident Alien Tax Compliance System. Users of this system will receive direct email communications with instructions regarding the distribution of these documents.

The university complies with the IRS record retention requirements for employers and maintains four calendar years of tax documents.

All requests for the reissuance of replacement W-2 and/or 1042-S forms must be in writing. No requests will be accepted over the telephone. This policy has been established to protect both the employee and the university. Salary information is confidential in nature and will not be disclosed to anyone without written authorization.

A replacement tax document can be obtained by completing the Request for IRS Form W-2 and 1042-S in its entirety and submitting the form to Payroll Management in the Human Resources Department. The form, along with the procedures for completing the form, can be obtained from the University Forms website [www.temple.edu/hr](http://www.temple.edu/hr).

A replacement fee will be charged in accordance with the established Payroll Management fee schedule. This fee can be deducted through payroll deduction for all current university employees. Former employees must remit the fee at the time the request for the replacement is made.

## **8.12 City Wage Tax Refunds**

Currently, the City of Philadelphia allows Temple University to refund employees for Philadelphia wage taxes withheld from their pay when they meet certain requirements in accordance with the city's regulations. This accommodation is subject to the continuing approval by the City of Philadelphia and can change at any time.

As a convenience to eligible employees, the university will refund Philadelphia wage taxes withheld from employees who are nonresidents of the City of Philadelphia for authorized work performed outside of the City of Philadelphia. Employees should submit the requests monthly, although an employee can submit the refund request at any time during the calendar year in which the taxes were withheld, but no later than December 5<sup>th</sup>. Any refunds received after this date must be filed directly with the City of Philadelphia by submitting a refund petition form to the Human Resources Payroll Management office for verification and submission to the City.

The wage tax is not refunded for vacation, sick or weekends spent outside of the city. Work performed at home for the convenience of the employee is also not eligible for exemption from local withholding. Refunds will be included in an employee's regular pay.

Staff members who are nonresidents of the city of Philadelphia and are working outside of the City for the convenience of the university and/or in accordance with an approved departmental telecommuting policy may request a refund of withheld city taxes on a monthly basis using the Temple University City Wage Tax Refund Application form found on the TUportal. Note – a copy of the approved telecommuting agreement must be on file in the office employee personnel file maintained in Human Resources.

Nonresidents of the City of Philadelphia who perform all their work for Temple University outside the city are subject to Pennsylvania Act 32 regulations regarding local earned income tax withholding. Such employees will not have City of Philadelphia wage taxes deducted from their regular paycheck; thus, a refund is not required. Work location must be clearly documented on the paperwork submitted to the Human Resources Department before an exemption will be established. In addition, employees are required to submit certification of the addresses where they work and reside for purposes of determining local tax withholding. Employees are also required to re-certify this information in the event changes occur to either the home or work location address.

A City Wage Tax Refund Form is available on the Temple University website at [www.temple.edu/hr](http://www.temple.edu/hr). Any employee requesting a refund must complete the City Wage Tax Refund Form and submit the approved request to Payroll Management, along with the supporting documentation for the request. If adequate documentation is not submitted with the refund request, it will be returned along with a request for additional information.



## **Job Classification and Compensation**

### **9.1 Classification of Jobs and Salary Structures**

Temple University has a position classification program that appropriately identifies and classifies employees' roles, responsibilities and accountabilities in a manner that is consistent and competitive. Positions are evaluated through the use of comparative analyses of similar positions and the external market. As a result of evaluation, positions that require similar knowledge, skills and abilities, responsibility levels, effort, qualifications and working conditions are assigned to the same position class. The Human Resources Department maintains the classification structure and periodically evaluates and adds positions based on departmental needs and changes in the market environment. The Human Resources Department website provides detailed information on job classifications. See [www.temple.edu/hr](http://www.temple.edu/hr).

### **9.2 Position Descriptions**

Position descriptions ensure that all non-faculty, bargaining and non-bargaining employees have well-defined, clear and consistent information regarding their positions at Temple University. The Human Resources Department maintains generic position descriptions by level, and in some cases, by job. Position descriptions identify the key responsibilities and duties of the position. Generic position descriptions may be found on the Temple University Human Resources website at [www.temple.edu/hr](http://www.temple.edu/hr). Departments are responsible for maintaining up to date position specific descriptions.

### **9.3 Review of Classification of Jobs/Positions**

The Human Resources Department reviews positions to maintain the appropriate classification of jobs within the university, without regard to race, color, religion, sex, sexual orientation, national origin, ancestry, age, disability, marital status or veteran status in employment or in any program. To initiate the classification or position review process, following appropriate department and senior management approval; a supervisor or budget/business manager should contact their HR Business Partner. Human Resources may also initiate a review.

### **9.4 Wage/Salary Structures for Positions**

Prior to the internal posting of any opening, the Human Resources Department evaluates the position to determine the appropriate classification and wage/salary structure. An employee responding to a posted position with a different wage structure than his or her current position can consult with the Human Resources Department to determine how the posted position would affect his or her compensation and/or benefit level.

## **9.5 Salary Structures and Hiring Rates**

Temple University bases its salaries and rates on the market wages for various job levels. The Human Resources Department maintains and adjusts structures as appropriate to maintain competitive pay. The salary structure for non-bargaining full-time employees consists of 12 grades, T21–T32. Each grade is established based on market competitive data, and therefore, may periodically change. The grades provide a reference for hiring and promotion rates. More detailed information concerning the hiring rates for each grade is set forth on the Human Resources website at [www.temple.edu/hr](http://www.temple.edu/hr).

## **9.6 Annual Increases to Salary**

Temple University may, in its sole discretion, provide for salary increases of its non-bargaining employees. The provision and amount of salary increases, as well as any eligibility standards shall be determined annually and will be based on performance. Employees covered by collective bargaining agreements are subject to the provisions of the appropriate agreement and should refer to their contract.

## **9.7 Performance Bonuses**

Performance bonuses are one-time payments that may be awarded by management in accordance with university practices and at the sole discretion of Temple University. This program allows senior management to recognize demonstrated performance efforts that result in significant cost/benefit/quality improvement and/or revenue enhancement.

Employees covered by collective bargaining agreements are subject to the provisions of the appropriate agreement and should refer to their contract regarding bonus eligibility.

## **9.8 Salary Adjustments upon Reclassification**

Human Resources conducts a salary analysis to determine an appropriate salary for the position within the classification system. In making the recommendation, the Human Resources Department will review salaries paid by the department and university for other comparable positions as well as the market. When a non-represented employee has been reclassified to a lower-level position, the provisions on position downgrades will apply. When a non-represented employee has been reclassified to a position in the same grade level, the provisions on In Grade Salary Adjustment apply.

More detail on downgrades and adjustments without a change in grade may be found on the HR website.

## **9.9 Additional Compensation**

Non-represented employees may be entitled to additional compensation when performing additional duties that are temporary in nature and at a higher level and outside of the normal scope of, , their regular responsibilities. Compensation for the additional services will be determined in advance, following appropriate department and senior management approval through consultation between the Human Resources Department and the department head requesting the additional compensation.

Temporary additional compensation is typically for assuming duties for longer than one (1) month but no to exceed six (6) months. When additional duties are not temporary, Human Resources will review the position to ensure accurate classification.

## **Your Career at Temple**

### **10.1 Employment Selection and Placement**

Temple University acknowledges the importance of its employees to its success as a national institution of higher education. The university also recognizes the need to provide employment and career opportunities for talented individuals. Accordingly, Temple University has developed selection and placement procedures to identify vacant, non-faculty positions and hire qualified individuals for those positions. The university complies with all federal, state and local laws and guidelines pertaining to employment practices and is subject to audit by the Department of Labor, Office of Federal Contract Compliance Programs and other agencies. In addition, Temple University adheres to affirmative action policies and all policies regarding the employment process.

Managers charged with hiring authority at Temple University are responsible for implementing and complying with these procedures. The Human Resources Department will guide and consult with managers to assure that the needs of the university are met. A full description of the hiring process is available on the HR website at [www.temple.edu/hr](http://www.temple.edu/hr).

### **10.2 Open Positions**

Temple University posts vacant, non-temporary administrative and staff positions on its web-based internal posting system for a period of seven calendar days. The purpose of the posting period is to notify current employees of opportunities at the university, and permit them to apply for those positions for which they are interested. The university also advertises positions externally using diverse media.

### **10.3 Applying for a New Job within Temple**

All employees are encouraged to manage their careers at Temple University and apply for open positions that meet their career needs. Employees can maintain their resume and profile in the university's password-protected, confidential applicant tracking system. The system can be accessed through the HR website at [careers.temple.edu](https://careers.temple.edu)

In addition to the minimum qualifications outlined in the job posting, internal applicants for positions must meet the following qualifications:

- ☐ Employed in current position for at least one year (including any introductory/probationary period)
- ☐ Satisfactory work record
- ☐ Satisfactory job performance that meets job expectations as established by Temple University

Any employee may bid for a position in a confidential manner without prior consent or approval from his or her supervisor.

#### **10.4 Interview Process**

The Human Resources Department forwards application materials that meet the stated requirements for a vacant position to the hiring department, which then screens the application material and works with Human Resources to determine which candidates are to be interviewed.

Employees may schedule interviews during working hours as long as the interview does not interfere with the obligations of his/her current position. If an employee is selected for an interview, the employee is encouraged to discuss the posting with his or her supervisor. Employees who have questions about this process may contact the Human Resources Department.

Bargaining unit employees should consult their collective bargaining agreement for further information.

Following the interview process, the hiring department may recommend that an offer be made to a particular candidate. Human Resources and/or the Office of Institutional Diversity, Equity, Advocacy and Leadership will review the selection and decision process, and will approve the candidate selection, when appropriate. An offer of employment can be extended only by the Human Resources Department after all required approvals have been obtained.

#### **10.5 Offer of Employment**

The Human Resources Department will work with the hiring department to determine an appropriate salary for any offer consistent with Temple University's classification system and guidelines.

All written and verbal offers of employment made to current employees or to external applicants are done solely by designated representatives of the Human Resources Department. Offers must be accompanied by a letter describing the terms of the offer.

Current Temple University employees awarded a vacant position must assume their new position at a mutually agreeable time, generally not to exceed four weeks following notification. Selected employees must notify their current supervisor of the internal offer immediately upon accepting the new position. At that time, the employee must also advise his or her current supervisor of the proposed start date of the new position. Any conflicts concerning transition arrangements and dates are to be discussed between the supervisors of the hiring and releasing departments. They should develop a mutually agreeable solution, in consultation with the Human Resources Department, and provide a positive transition for

the employee. Any requests for an exception may be considered on a non-precedent setting basis and must be approved in writing by the Human Resources Department.

Offers made to external new hires are contingent on a pre-employment health assessment (see Section 4.4), a satisfactory drug screening (see Section 11.10), appropriate background checks (see Section 4.2), confirmation of academic credentials, confirmation of professional license, and satisfactory work reference checks. In addition, all new employees are legally required to provide proof of identity and eligibility to work in the United States within three days following the start of their position (see Section 4.5).

## **10.6 Temp-to-Regular Hire Policy**

Departments have the option of hiring an employee through one of the university's preferred vendors on a temp-to-regular hire basis. This program is intended to aid in hiring office support and administrative services employees. It is not intended to replace the regular internal recruitment responsibilities. To start this process, contact the Human Resources Department at (215) 204-7174. To view the entire policy, go to the HR website [https://www.temple.edu/hr/managers/documents/Temp\\_To\\_Hire\\_Policy.pdf](https://www.temple.edu/hr/managers/documents/Temp_To_Hire_Policy.pdf).

## **10.7 New Hire: Introductory/Probationary Period**

All new employees must complete an introductory or probationary period. The introductory period for staff and administrative non-bargaining unit employees is six months and can be extended for up to another six months based on performance (as discussed with the employee) during the introductory period. The probationary period for bargaining unit employees is set forth in the applicable collective bargaining agreement. This time allows each employee to become acquainted with his or her new position and the work environment.

During the introductory/probationary period, the employee's immediate supervisor will work with the employee to define performance expectations. An employee will be given feedback concerning any deficiencies prior to the end of the introductory/probationary period if the supervisor believes that the employee is not meeting those expectations. Temple University may terminate an employee at any time for misconduct or for any violation of Temple University policies with approval of the Human Resources Department.

Temple University recognizes that introductory/probationary employees may have unexpected absences from work due to illness, however, excessive absence from work during the introductory period will extend the probationary period and after review by the Human Resources Department may result in disciplinary action, up to and including termination of employment. During the introductory/probationary period, new non-bargaining employees are entitled to paid time off for calendar holidays (see Section 6.1) and any accrued vacation and/or sick time (see Section 6.2 and 6.3).

## **10.8 Existing Employee: Introductory/Probationary Period**

In the event that a current employee is offered a new position, he or she is again subject to an introductory/probationary period lasting six months. The supervisor should provide the employee with feedback on his or her performance on a regular basis.

If the employee does not perform satisfactorily in the new position or requests to return to his or her former position within this introductory/probationary period, the hiring department must contact the Human Resources Department, and the employee may be transferred back to his or her prior position if it is vacant and if no offer to fill it already has been made. If the former position is not available, the Human Resources Department will work with the employee to identify another vacant position for which the employee is qualified.

During this introductory/probationary period, employees are eligible for all benefits including vacation, sick time and personal holidays that they would have been eligible for had they remained in their prior positions. All employees moving to new positions should discuss vacation plans in advance with the hiring supervisor and receive approval of the timing.

When an employee accepts a new position through the bidding process, it is expected that the employee will remain in this new position for a period of at least one year and, therefore, generally is not eligible to be considered for future openings during this period.

Employees covered by a collective bargaining agreement are subject to the provisions therein regarding probation for new jobs within Temple.

## **10.9 Performance Development Plans (PDPs)**

Temple University is committed to enhancing the performance and professional development of all employees through Performance Development Plans. PDPs create a consistent, university-wide approach to performance management. All non-faculty administrators and staff who work 20 hours or more per week on a regular basis must have a PDP.

PDPs are designed to go beyond the traditional year-end performance appraisal practice. The PDP process includes year-round performance planning, professional development and year-end appraisal. Major features include:

- position responsibilities/essential functions
- goals/projects
- competency development

Performance development and management begins with performance planning. It includes clearly defined and appropriately classified jobs. Generic position descriptions have been prepared to help employees understand job functions and expectations. Using the generic position description as a guide, supervisors are required to prepare more specific job descriptions to detail further the essential functions of a position. It is the more specific

descriptions of position responsibilities/essential functions and goals and projects that should be used on an employee's PDP.

Temple University has identified competencies that are critical for each administrator or staff member's professional growth. Competencies are the essential values/skills/capabilities that every employee at Temple University needs to perform effectively, regardless of role and organizational level.

Supervisors and/or their direct reports are required to create a PDP at the beginning of each fiscal year for existing employees and during the first month of employment for new hires. Throughout the fiscal year, supervisors provide periodic feedback on performance and coach, counsel, train and mentor their employees as part of the university's commitment to performance improvement and development. Supervisors should review performance with employees at least once every quarter and should record comments on PDPs to document progress, accomplishments and problems.

During the fiscal year, employees should update their PDP with comments in to the "Employee Comments" section. Supervisors should review these comments, update their own comments, and accurately and fairly rate employees based on the documentation of their performance. If required in their department, the supervisor should then send the PDP to his/her supervisor to review. Finally, the supervisor should have an in-person meeting with the employee to review the unrated PDP before electronically sending the rated version to the employee for review.

While the end-of-the-year ratings should not be a surprise to employees, employees who believe their supervisors' evaluations are inaccurate may detail their concerns in the Employee Comments section of the Performance Development Plan. Non-bargaining employees should address their concerns first with their supervisor and then with the next level supervisor. If there is no resolution of their complaints, employees may then ask for the Human Resources Department to review the complaint.

Resources on how to effectively use the Performance Development System (PDS) and create PDPs can be found on the Human Resources website, [www.temple.edu/hr](http://www.temple.edu/hr) under the Learning & Development link.

## **10.10 Rehiring by Temple University**

An employee who is rehired by Temple University in a non-bargaining position will receive past service credit only for purposes of vacation eligibility if he or she previously worked for Temple University within the last year.

Employees covered by collective bargaining agreements are subject to the provisions of the appropriate agreement and should refer to their contract.



## **University and Employment Standards**

### **11.1 Non-discrimination**

Temple University is an academic community that respects diversity. The university emphasizes the dignity and equality common to all persons and adheres to a strict non-discrimination policy regarding the treatment of individual faculty, staff and students. Temple University is committed to the principles of affirmative action to ensure equal opportunity in all aspects of employment for those historically excluded and to foster diversity in the university community. Additionally, the university is classified as a Federal Contractor and as such is required to follow the regulations set by the United States Department of Labor and the Office of Federal Contracts and Compliance.

Discrimination or harassment in the workplace, academic setting or its programs or activities based on an individual's age, color, disability, marital status, national or ethnic origin, race, religion, sex, sexual orientation, gender identity, genetic information, or veteran, familial, or domestic or sexual violence victim status will not be tolerated.

Any employee who feels discriminated against should immediately report it to his or her supervisor, or the Office of Equal Opportunity Compliance, Title IX Coordinator or the Human Resources Department, so that a prompt investigation can be conducted. All allegations of discrimination will be promptly investigated with as much confidentiality as possible under the circumstances; and the university prohibits any form of retaliation against all employees participating in an investigation. Appropriate and effective corrective action, as warranted, will be taken promptly upon the conclusion of the investigation.

Any employee engaging in any type of discrimination in violation of this policy will be subject to disciplinary action, up to and including termination of employment. Any supervisor who has knowledge of such behavior yet takes no action to end it is also subject to disciplinary action, up to and including termination of employment.

The university has a comprehensive Affirmative Action Program which can be reviewed at the Office of Equal Opportunity Compliance, 2nd Floor Mezzanine, Sullivan Hall, 215-204-8890 ([www.temple.edu/eoc](http://www.temple.edu/eoc)). A copy of the official university's Non-discrimination Policy is located on the Temple University Policies website at <https://policies.temple.edu>.

### **11.2 Anti-harassment, Including Sexual Harassment**

Temple University is committed to creating and maintaining a work environment free of all forms of harassment, including harassment based on an individual's age, color, disability, marital status, national or ethnic origin, race, religion, sex, sexual

orientation, gender identity, genetic information, or veteran, familial, or domestic or sexual violence victim status. The university advises each member of the university community that harassment is prohibited both by law and by university policy.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, dissemination of sexually offensive or suggestive written, recorded or electronically transmitted messages, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program or activity.
- submission to or rejection of such conduct is used as a basis for an employment-related, educational or other decision affecting an individual.
- such conduct substantially interferes with an individual's work, educational performance or equal access to the university's resources and opportunities.
- such conduct creates an intimidating, hostile or abusive work or educational environment.

Any employee engaging in any type of harassment in violation of this policy will be subject to disciplinary action, up to and including termination of employment. Any supervisor who has knowledge of such behavior yet takes no action to end it and/or report the conduct to the Office of Equal Opportunity Compliance and/or the Human Resources Department is also subject to disciplinary action, up to and including termination of employment. Retaliatory actions will be subject to disciplinary action, up to and including discharge (see Sections 11.17 and 11.18). A copy of the Sexual Harassment Policy is located on the Temple University Policies website at <https://policies.temple.edu>.

In the event an employee or a student believes he or she is being harassed outside the Temple University environment by another Temple University employee, Temple University will make every effort to assist the individual in reporting the conduct to appropriate authorities.

### **11.3 Disability: Reasonable Accommodation**

The Americans with Disabilities Amendments Act (ADAAA) and Pennsylvania Human Relations Act prohibit discrimination against a qualified person with a disability in any employment practice, including but not limited to: recruitment, hiring, promotion, discharge, compensation, training, provision of benefits, and other terms and conditions of employment. The university is committed to making reasonable accommodations in policies, practices or procedures when such modifications are necessary for any qualified applicant or employee to perform the essential functions of the position.

Any employee needing accommodation, or any manager needing assistance in assessing the reasonableness of a requested accommodation, locating auxiliary aids, or having general questions about the ADAAA and accessibility issues should contact the Human Resources Department at 215-926-2290. Any employee who believes he or she has not received an appropriate accommodation should contact the Office of Equal Opportunities Compliance and/or the Human Resources Department. A copy of the policy is located on the Temple University Policies website at <https://policies.temple.edu> under Non Discrimination.

#### **11.4 Non-bargaining Employee Dispute Resolution**

Temple University strives to resolve complaints and disputes arising from employment with the university whenever possible. Employees are strongly encouraged to avail themselves of one or more of the following options:

- Discuss the problem with their supervisor.
- Discuss the problem with their unit manager or the next level supervisor.
- Consult with the Human Resources Department.
- Consult with the Office of Equal Opportunity Compliance.

Supervisors/Managers will consult with the Human Resources Department and/or the Office of Equal Opportunity Compliance whenever the complaint or dispute involves a potential violation of any Temple University policy.

Members of a bargaining unit should consult their collective bargaining contracts.

#### **11.5 Conflicts of Interest and Gifts**

In their dealings with and on behalf of university, employees, including faculty, are required to exercise the utmost good faith in all transactions involving their duties to the university and its property. They are prohibited from using their positions, or knowledge gained in their job, in such a way that may cause a conflict of interest between the individual's interests and Temple University's interests.

Temple University employees may occupy positions in which they directly or indirectly influence the expenditure of large amounts of money. In order to avoid a conflict of interest, university employees must be extremely cautious with respect to gifts. Even though no wrong-doing is intended, the knowledge that a Temple University employee accepted a gift from those who do business with the university could be misinterpreted. University employees may not accept any gift that is intended to influence the conduct of business with Temple University.

Employees accepting a gift that exceeds the value of \$50 from any firm or individual doing business with the university must disclose the gift and/or their intentions regarding the gift to their supervisor.

Under certain circumstances, a unit, department, school, or college may accept a monetary gift from a vendor for the purpose of sponsoring a program, seminar, workshop, scholarship or other educational event in which the sponsor has no control over the program and does not expect any remuneration or special benefit in return. In addition, the unit accepting the monetary gift of sponsorship should not have decision-making authority over Temple University's business relationship with the vendor.

Employees are required to disclose promptly to their department head any potential conflict of interest if it arises or when the employee learns of the potential conflict. Any questions should be directed to the Office of University Counsel. The university's Board of Trustees has adopted a Conflict Of Interest – All Employees Policy and a Conflicts of Interest And Gifts – All Employees Policy. Both policies are available at <https://policies.temple.edu>.

### **11.6 Conflicts of Interest: Employment of Relatives, Nepotism and Consensual Romantic Relationships**

Temple University recognizes that both the employment of relatives or an individual who has a consensual sexual or romantic relationship with his/her supervisor (who is in a position to hire, supervise, grade, advise, evaluate or otherwise directly influence the employment or academic progress of another employee, student, or other person) can create an actual or potential conflict of interest. Therefore, a "relative," for the purpose of this policy, is defined as a spouse, domestic partner, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation, as well as any individual sexually or romantically involved with another Temple University employee.

Temple University may hire qualified relatives of its current employees as long as that employment does not create actual or potential conflicts of interest and where the employee has no influence over the terms or conditions of the relative's employment. Whether or not the employment creates an actual or potential conflict shall be determined in accordance with established university policy. Other than recommending the relative for employment, an employee is prohibited from playing any direct or indirect role in the decision to hire the relative.

Temple University endeavors to exercise sound business judgment in the placement of related employees. Unless approved in advance by: (1) the Human Resources Department or (2) in the case of co-investigators on grants, approved by the Senior Vice President for Research, and pursuant to the University Conflict of Interest Policy, relatives or persons who are romantically involved may not:

- work in the same department, school, unit or lab.
- report directly or indirectly to a relative.
- interview with a relative.
- evaluate the work of a relative.
- participate in the performance planning or review of a relative.
- influence the salary or classification of a relative.

- make any recommendation affecting the terms and/or conditions of a relative's employment.
- work in a position in which employment may present a conflict of interest.

These standards also apply to employees who become “related” after the hiring decision is made, such as employees who start dating or otherwise engage in a consensual sexual or romantic relationship, marry, or enter into a domestic partner relationship, or become relatives as a result of a marriage or domestic partner relationship. In such circumstance, the employees should contact Employee Relations at 215-926-2290 as soon as their status changes. Likewise, these standards apply in circumstances in which one person is employed by Temple University and the other person employed by Temple University Health System but share a common workspace.

All employees are cautioned that consensual sexual or romantic relationships can result in claims of sexual harassment because the voluntariness of the consent may be questioned when a power differential exists. If a sexual harassment claim is filed subsequently, the argument that the relationship was consensual will be evaluated in light of this power differential.

Some relationships involve inherent conflicts of interest that cannot be eliminated. Therefore, sexual or romantic relationships between instructors and students currently in their classes and between faculty and/or staff advisors and their current advisees are always prohibited whether or not the relationships are consensual. See also Section 12.4, Faculty Student Relationships. Similarly, relationships between supervisors and their subordinates are prohibited when the working relationship is such that it is not possible to eliminate the conflict of interest. A copy of the Sexual Harassment Policy is located on the Temple University Policies website at <https://policies.temple.edu>.

A supervisor is required to consult with the Department of Human Resources, University Counsel, the Office of Equal Opportunity Compliance, and/or University ombudsman if he or she is uncertain as to whether or not a relationship between Temple University employees or a Temple University employee (including faculty) and a student violates this policy and/or Temple University's policy on Sexual Harassment and the Policy on Preventing and Addressing Discrimination and Harassment. Any employee who feels he or she is involved in a sexual or romantic relationship that is not welcome or consensual should contact the Office of Equal Opportunity Compliance, Title IX Compliance or the Human Resources Department.

The Office of Equal Opportunity Compliance, Human Resources Department or University Counsel will assist in making alternative arrangements to eliminate conflicts of interest under this policy. Violations of this policy may lead to disciplinary action up to and including discharge from employment or dismissal from an academic program.

## **11.7 Conflicts of Interest: Faculty**

It is the policy of Temple University that all full-time and part-time faculty members avoid any conflict, or appearance of conflict, between their personal interests and the interests of the university. This includes but is not limited to their dealings with any organization or individual having, or seeking to have, any business relationship with the university or with any organization or individual whose objectives or interests may be adverse to university interests.

A faculty member shall be deemed to have a potential conflict of interest when:

- The faculty member is an officer, director, trustee, partner, employee or agent of, or has a 5 percent or greater interest in, a person or an entity involved in a transaction with or affecting the university.
- The faculty member is aware that the faculty member, his or her spouse or any of their parents, children, brothers or sisters, or relatives is an officer, director, trustee, partner, or agent of, or has a 5 percent or greater interest in an entity involved in a transaction with or affecting the university.
- Without regard to the above, the faculty member's independent judgment is or might appear to be impaired by an existing or potential financial interest.
- A faculty member supervises or participates in a decision affecting a relative of the faculty member.
- An investigator plans to perform his or her own clinical trial on a tracer that he or she developed for Temple University and owns the patent for.
- In all cases where there is a potential conflict of interest, the faculty member should consult with his or her Chair and the cognizant Dean, and disclose the specific facts giving rise to the potential conflict.

The university's Board of Trustees has adopted a Conflict of Interest – Faculty Policy. A copy of the policy is located on the Temple University Policies website at <https://policies.temple.edu>. Faculty are required to review and to familiarize themselves with this policy. Any questions should be directed to the Office of University Counsel.

## **11.8 Drug-free Workplace**

Employees are expected and required to report to work on time and in appropriate mental and physical conditions for work. Each employee is responsible to help ensure that Temple University remains a drug-free, healthful, safe and secure work environment.

Temple University absolutely prohibits the unlawful sale, possession, purchase, manufacture, use, distribution or dispensing of controlled substances, including drugs, on university premises or while conducting university business off premises. Violations of this policy will result in disciplinary action, up to and including discharge from employment, and may have other legal consequences. Employees must, as a condition of employment, abide by the

terms of this policy and report to the university any conviction under a criminal drug statute for violations occurring on or off university premises while employed by the university. A report of a conviction must be made to the Office of Human Resources within five days after the conviction.

Temple University will require any employee who it reasonably believes is in violation of this policy to undergo drug and/or alcohol testing in accordance with its Drug and Alcohol Testing Policy at Section 11.10. If an employee is found in violation of university policy, federal or state laws, or local ordinances, the circumstances accompanying each individual case will be considered when determining the consequences.

### **11.9 Drug and Alcohol Abuse**

As stated in Section 11.8, Temple University prohibits the unlawful sale, possession, purchase, manufacture, use, or distribution or dispensing of drugs on university property or as part of any of its activities. Additionally, Temple University prohibits the abuse of alcohol by employees on university property or as part of any of its activities.

For a description of the applicable legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol and related health risks, please see Appendix 1.

The university recognizes that employees with alcohol and/or drug-related problems should seek help in dealing with such problems and are therefore encouraged to use counseling services available through medical school practices, the EAP (Employee Assistance Program) or health insurance plans, as appropriate, when facing alcohol and/or drug-related problems. Employees may contact the Human Resources Benefits Department at 215-926-2270 for additional information.

Temple University will require any employee who it reasonably believes is in violation of this policy to undergo drug and/or alcohol testing in accordance with its Drug & Alcohol Testing Policy, at Section 11.10.

### **11.10 Drug and Alcohol Testing**

To protect the Temple community and to ensure compliance with the standards set forth in Drug-free Workplace (Section 11.8) and Drug and Alcohol Abuse Acts (Section 11.9), Temple University will conduct drug and/or alcohol testing under the following circumstances:

- ☐ **PRE-EMPLOYMENT:** Temple University requires that offers of employment are contingent on the prospective employee being free of drug abuse/addiction. Any applicant who refuses to take the drug test, attempts to alter or falsify the results, or tests positive for illegal drugs on the drug test is not eligible for employment with Temple University.

- **REASONABLE SUSPICION:** Temple University may ask an employee to submit to a drug or alcohol test whenever it reasonably believes that the employee may be under the influence of drugs or alcohol at work in violation of its Drug-free Workplace or Drug and Alcohol Abuse policies. This includes, but is not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity; unusual, bizarre or erratic conduct on the employee's part that suggests impairment or influence of drugs or alcohol; an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury; or excessive and unexplained absenteeism or tardiness. Managers will go through training to successfully identify suspicious behavior.

If an employee tests positive for drugs or alcohol under this policy, the employee is subject to disciplinary action in accordance with Temple University's Drug-free Workplace Policy and/or Drug and Alcohol Abuse Policy.

Nothing in these policies prohibits or in any way limits the lawful use of prescription and nonprescription drugs. However, an employee must inform his or her immediate supervisor or the Department of Human Resources if he or she is using a prescription or nonprescription drug, which at current prescribed dosage, could impair work performance or pose a risk of harm to the employee, to others, or to property. It is the employee's responsibility to determine from his or her physicians if the medication can impair work performance or pose such a risk.

If the lawful use of lawful prescription or nonprescription drugs does limit or otherwise impair the employee's ability to perform the essential functions of his or her position or otherwise creates a safety risk, the Human Resources Department will meet with the employee to determine whether or not a reasonable accommodation is available. Employees who have questions regarding this policy are encouraged to contact the Human Resources Department.

### **11.11 Gambling in the Workplace**

Temple University employees shall not engage in gambling activities during work hours and are prohibited from using university equipment or facilities in carrying out such activities.

### **11.12 Political Activities**

Temple University does not restrict its employees from engaging in political activity or from holding public office, so long as the activities do not interfere (in any way deemed significant by Temple University) with the performance of duties and responsibilities as assigned by the university, and so long as the employee makes clear that the activities are undertaken in a personal capacity and not as a representative of Temple University. Such



activities, like any other personal, nonofficial undertaking, must be done on the individual's own time and should not interfere with university duties.

If elected or appointed to an office that would interfere (in any way deemed significant by the university) with the performance of assigned university duties, the individual must resign from his or her position with the university, or petition for a leave of absence without salary. See University Personal Leave Policy at Section 6.7.

Employees may contribute their own funds to political parties, groups or candidates, or expend funds on behalf of the above parties, groups, candidates or issues, subject only to state and federal laws that regulate political contributions. Employees may not use Temple University resources or facilities in connection with such political activities. For more information, please refer to Temple's Political Campaign Activities Policy at <https://policies.temple.edu>.

### **11.13 Software and Technology Usage**

Temple University has adopted extensive policies that govern the usage of software, hardware, computer-related equipment and resources acquired by Temple University and/or used by any person employed by, or affiliated with, Temple University. Any Temple University employee, visitor, student, retiree, consultant and/or temporary employee who has access to, or who uses the Temple University network, electronic communications systems and/or resources to conduct Temple University business must review and abide by these policies.

Using peer-to-peer file-sharing programs illegally to download or share copyrighted materials including music, games and videos is strictly prohibited. In addition, any person using Temple University computer equipment, software or other computer resources must abide by the Use of Communications Systems (Section 12.7), Voice Mail and Email (Section 12.9), Internet Usage and Computer Games (Section 12.10) and Use of University Property Policy (Section 12.17).

Temple University's Software Policy or Computer Usage Policy can be found at <https://policies.temple.edu>

#### **11.14 Safety**

The health and safety of all employees, students, visitors and our neighboring communities are of utmost concern to the university. The Environmental Health and Radiation Safety Department (EHRS) is responsible for ensuring the safe use of radioactive materials, radiation-producing equipment, chemicals and biological substances at the university. EHRS is responsible for identifying safety problems; initiating, recommending or providing corrective actions; verifying implementation of corrective actions; and ensuring compliance with regulations and university policies for the use of hazardous substances.

All members of the university community are required to comply with the university policies and regulatory requirements specifically in the use, handling and storage of hazardous materials/environment at all locations of the university. The EHRS handbook and policies are maintained online at [www.temple.edu/ehrs/handbook](http://www.temple.edu/ehrs/handbook) . Employees are also encouraged to visit the EHRS home page for information concerning health and safety at [www.temple.edu/ehrs](http://www.temple.edu/ehrs) .

#### **11.15 Social Security Number Usage**

Temple University collects and maintains personal and confidential information including Social Security numbers, relating to: (i) its students and applicants for admission, (ii) employees and applicants for employment and (iii) to some extent, certain other individuals associated with the university. The use of the Social Security numbers as a primary identifier for Temple-related individuals will be avoided, except as required by law or as required by practical necessity, as approved by the President or other designated university officers.

The university is committed to safeguarding the security and confidentiality of personal and confidential information in compliance with applicable laws and has adopted policies, procedures and practices to meet that objective. Any Temple-related individual who violates this policy or fails to comply with applicable SSN procedures is subject to disciplinary action, up to and including discharge. All employees must review and abide by the following policies and procedures: Social Security Number Usage Policy; Social Security Number Usage Procedures (both can be found at <https://policies.temple.edu>); and the Confidential Information Policy (see Section 12.5).

#### **11.16 Anti-retaliation in Employment**

Temple University is committed to maintaining a work environment free from any form of unlawful discrimination or harassment. (See section 11.2, Anti-harassment, Including Sexual Harassment).

In an effort to foster such an environment, and in conformity with all federal, state and local laws, Temple University strictly prohibits any form of retaliation against an individual who, in good faith, reports, complains about or participates in an investigation of

an allegation of discrimination or harassment. Any individual, who feels that he or she has been retaliated against or has been threatened with retaliation, should immediately contact Human Resources, the Senior Vice Provost for Faculty Affairs, the Office of Equal Opportunity Compliance or the Title IX Coordinator. (See also Section 12.16, University Investigations and Internal Hearings)

Temple University encourages its faculty, staff and students to make good faith disclosures of any misconduct or violation of a policy, procedure or Rule of Conduct to the appropriate university office or official. A disclosure or report is made in good faith whenever the person holds a “reasonable” belief that a violation of Temple University policy, procedure or Rule of Conduct has occurred, or holds a reasonable belief that an action taken is prohibited by law or regulation. In other words, if another person in the same or similar position could conclude that a violation occurred, the belief is reasonable and should be reported. Anyone who knowingly makes a false accusation of any misconduct or policy violation or retaliates in any way will be subject to discipline, up to and including termination.

Temple University urges any employee to contact the Human Resources Department if he or she believes that an employment action is based in whole or in part on the reporting of conduct prohibited by Temple University policies, procedures or Rules of Conduct and/or participating in any work-related investigation. An employee who believes that he or she is subject to retaliation for complaining about unlawful discrimination or harassment, or for participating in an investigation involving a claim of discrimination or harassment ("Whistle Blowing"), may also file a complaint with the Office of Equal Opportunity Compliance. (See Sections 11.1 Non-discrimination and 11.2 Anti-harassment, Including Sexual Harassment).

Temple University takes all complaints of retaliation very seriously. The Human Resources Department and the Office of Equal Opportunity Compliance will work together to investigate all complaints in a timely manner and to take appropriate action.

### **11.17 HIV/AIDS Non-discrimination**

Consistent with its existent University non-discrimination policies, no person shall be subject to adverse employment action solely because of their HIV/AIDS status. This includes all employees who are able to perform their job duties in a manner that does not pose a health or safety risk to themselves or others, with or without accommodation. If accommodation is required, Human Resources will consult with the department and reasonable efforts will be made to look at all available options for accommodation consistent the then-current state of scientific knowledge about the disease.

Additionally, no person shall be denied academic admission, access to Temple University programs, facilities, events, services or any benefits provided by the university solely on the basis of HIV status. HIV status shall be deemed to include actual or perceived HIV status,

or any condition related to Acquired Immune Deficiency Syndrome (AIDS), an individual being suspected of having such virus or conditions, or an individual's association with any person having or believed to have said virus or conditions.

Temple University shall, consistent with applicable law, maintain the confidentiality of all university records documenting and information concerning the HIV status or AIDS related conditions of university students and employees to the same degree that confidentiality is afforded to other medical records of university students and employees. For more information, please see Temple University's Policy on AIDS at <https://policies.temple.edu>. steps to address claims of retaliation when substantiated. Employees who observe any act that could be construed as retaliation should also contact the Human Resources Department and/or the Office of Equal Opportunity Compliance to report the conduct.

#### **11.18 Anti-retaliation in Reporting Violations of Medical Services Compliance: False Claims Act**

Temple University is committed to providing medical services and to obtaining payment for those services in accordance with the highest ethical standards. The physician practices of Temple University have established a compliance program that includes regular training of physicians in the requirements for submitting bills for physician services, regular audits of physician bills, exit interviews with departing employees involved in billing for physician services, and a compliance hotline to enable individuals to report any suspected irregularities. Any person with knowledge or information concerning a possible violation of law is encouraged to call either the Hotline at 215-204-9500 or the Compliance Office at 215-707-4048.

In addition, under federal law, the federal government is entitled either to bring suit in federal court or to commence administrative proceedings against persons who knowingly submit false claims for payment under the Medicare or Medical Assistance programs. Under certain circumstances, persons who provide information to the federal government that results in a valid claim being asserted against Temple University may be entitled to share in any recovery by the federal government. Employees who provide information to the government are legally protected against retaliation by their employer. In addition, Temple University Anti-retaliation in Employment Policy prohibits retaliation against any employee for reporting suspected wrongdoing. (See Section 11.16).

#### **11.19 Ethics Reporting Policy and Procedure**

As members of the Temple University community, all employees are responsible for sustaining the highest ethical standards of the university and of the broader community. As such, employees should report any violations of laws, regulations, university policies and procedures, or intentional reporting of inaccurate data or other information that come to their attention (collectively, "violations"). Disciplinary actions for proven violations or for

improper retaliation against anyone who reports possible violations ("Whistle Blowing") will be determined on a case-by-case basis and may include actions up to and including discharge.

To report a suspected violation of laws, regulations, university policies and procedures, employees are encouraged to do one of the following:

- Report to Management: Violations may be reported through standard management channels beginning with the immediate supervisor. If for any reason it is not appropriate to report suspected violations to the immediate supervisor, employees may go to a higher level of management within their school/college/department.
- Report to Ethics and Compliance: Violations may be reported to the University Ethics and Compliance Office through the Ethics and Compliance Helpline at any time, 24 hours a day, by calling 844-755-3394 or online at: <https://secure.ethicspoint.com/domain/media/en/gui/61440/index.html>
- Report to Human Resources: Violations may be reported to the Department of Human Resources at 215-926-2298.

All reports of suspected violations may be made confidentially and anonymously. However, the more information provided, the easier it is to investigate the reports. The university is committed to investigating and taking necessary corrective actions for all suspected violations that are reported. In order to protect the integrity of the internal investigative process, in no instance will a university official specifically named in a complaint be responsible for the internal investigative process.

Temple University is committed to the stewardship of its resources and the public and private support that enables it to pursue its mission. Temple University takes seriously its obligations under the various laws and regulations to which it is subject. To further insure compliance by all of its members, the university develops and promulgates policies and procedures to interpret and apply applicable laws and regulations in the university setting. Laws, regulations, policies and procedures strengthen and promote ethical practices and ethical treatment of the members of the university community and those who conduct business with the university. The university has in place a system of internal controls and operating procedures that are intended to detect and prevent or deter improper activities. However, even the best systems of internal control cannot provide absolute safeguard against waste, fraud, abuse and other irregularities.

## **11.20 Policy Against Misconduct in Research and Creative Work**

Temple University is committed to the principle that its personnel are responsible for ethical conduct in their research and production of creative work, and in the dissemination of results. Various disciplines (e.g., natural sciences, social sciences, humanities, medicine, law and the arts) may have specific ethical criteria and traditions that govern the conduct of research and creative work. Faculty members and graduate students are responsible for knowing those

criteria and complying with them. Each discipline, moreover, regards the following behavior as misconduct:

- Abuse of confidentiality;
- Using or presenting data that is falsified or fabricated;  
Plagiarism or appropriating words, ideas, data, techniques or creations of others and presenting them as if they were one's own;
- Failing to comply with legal, granting agency or university requirements affecting specific aspects of the conduct of research or engaging in practices that seriously deviate from those that are commonly accepted within the scientific or academic community for proposing, conducting or reporting research to the extent that these are applied consistently with traditional principles of academic freedom, including, but not limited to:
  - failure to protect human subjects
  - misuse of laboratory animals
  - misuse of recombinant DNA molecules
  - misuse of infectious materials
  - misuse of hazardous materials
  - failure to comply with laboratory safety requirements;
- Dishonesty in publication; and
- Interfering with, misappropriating, stealing or destroying equipment, supplies, or other information including, but not limited to: data, text, works of art or authorship or databases, which either belong to others or over which others have primary use.
- Confirmed violation of this policy may constitute grave misconduct and may be grounds for dismissal. Violations of this policy will be determined according to the processes and procedures described more fully in Temple University's Policy on Misconduct in Research and Creative Work at <https://policies.temple.edu>.

## **Employment Conduct**

### **12.1 Work-Related Behavior Expectations**

Temple University has certain expectations regarding the conduct and job performance of each employee that is necessary for orderly operation of business. Employees who do not adhere to these standards or fail to meet the expectations for their position are subject to disciplinary action.

The Human Resources Department should be consulted prior to disciplining an employee. Employees should consult the Temple University Employee Manual and/or Rules of Conduct. These documents are available on the Human Resources website or at the Human Resources Department at [www.temple.edu/hr](http://www.temple.edu/hr).

### **12.2 Weapons on Campus**

Temple University prohibits students, members of the faculty, employees (other than Temple University police officers, as authorized by their position), contractors, vendors and any other visitors (other than law enforcement personnel authorized to carry weapons) to our campus from possessing, carrying or using weapons on property owned by or under the control of the university.

For the purpose of this policy, “weapons” mean:

The use, possession, sale, or storage of articles and substances that endanger a person’s health and/or safety. This includes, but is not limited to, firearms (e.g. guns, pistols, rifles, stun guns, air rifles, pellet guns, etc.), fireworks, knives, weapons, ammunition, gunpowder, explosives or other material containing flammable substances, as well as replicas of any such articles or substances. The university also will confiscate any such articles.

Individuals who engage in any conduct prohibited by this policy may be removed from university property, and may be subject to discharge/expulsion or other disciplinary action, arrest and/or criminal prosecution. This policy applies to all work locations including offices, work sites, vehicles and field locations.

### **12.3 Violence in the Workplace**

Temple University is committed to providing a safe and healthful workplace that is free from violence or threats of violence. For purposes of this employment standard, workplace violence is any violent or threatening behavior that arises from or occurs in the workplace that affects university faculty, employees, students and visitors.

Temple University does not tolerate behavior that:

- is violent.
- threatens violence.
- harasses or intimidates others, including stalking or bullying behavior.
- interferes with an individual's legal rights of movement or expression.
- disrupts the workplace, the academic environment or the university's ability to provide service to the public.

Individuals who engage in any conduct prohibited by this standard may be banned from university property, and may be subject to discharge or other disciplinary action, arrest and/or criminal prosecution. This policy applies to all work locations including offices, work sites, vehicles and field locations.

Employees, supervisors and managers should contact the Human Resources Department at 215-926-2290 and Campus Police at 215-204-1234 immediately to report any threats that they have witnessed, received, or those that have been reported to them that another person has witnessed or received. Employees should also report any behavior they have witnessed that they regard as threatening or violent when that behavior is job-related or was carried out on university-owned or leased property.

Any employee who receives a protective or restraining order that lists a Temple University campus as a protected area is required to provide the Human Resources Department and Campus Police with a copy of the order and any information useful to identify the individual subject to the order. For example, if an employee has received a restraining order prohibiting a former spouse or partner from coming to the workplace, the employee must provide Human Resources and Campus Police with a copy of the order and a recent picture of the spouse, partner or person if possible. See also the Official University Policies on Ethnic Intimidation and on Sexual Assault at <https://policies.temple.edu>.

## **12.4 Faculty and Student Relationships**

The power disparity between faculty members and their students makes such relationships subject to exploitation, both actual and perceived. The respect and trust accorded a member of the faculty by a student, as well as the power exercised by faculty in giving grades or recommendations for future study and employment, make voluntary consent by the student suspect.

Individuals should be aware that consensual sexual or romantic relationships can result in claims of sexual harassment because the voluntariness of the consent may be questioned when a power differential exists. If a sexual harassment claim subsequently is filed, the argument that the relationship was consensual will be evaluated in light of this power differential.



Some relationships involve inherent conflicts of interest that cannot be eliminated. Therefore, sexual or romantic relationships between instructors and students currently in their classes and between faculty advisors and their current advisees are always prohibited.,

With respect to relationships and conduct between students and faculty, instructors, advisors, athletic coaches and others, Temple University's Sexual Harassment Policy provides:

- With reference to behavior between an instructor and students of that instructor, no instructor shall make a sexually suggestive or intimidating remark, ask a student for a date or sexual favor, or in other ways make a sexual advance to the student. While a student is a student of a particular instructor, any sort of sexual or romantic advances or relationship between the student and the particular instructor is prohibited.
- A student is a student of a particular instructor:
  - (i) when a student is registered in a course taught by the instructor and has not yet received a final grade, or
  - (ii) when a student is assigned to be advised by a particular instructor or academic advisor, whether the instructor is serving as an undergraduate advisor, graduate advisor, or member of a thesis or dissertation committee, or
  - (iii) at other times when an instructor has a relationship with a student such that a student's activities at the university are being supervised or evaluated by the instructor, or
  - (iv) at other times when an advisor, athletic coach, physician, laboratory operator or other similar individual has a relationship with a student such that the student's activities at the university are being supervised or evaluated by that person. The relationships covered by this paragraph include, but
  - (v) are not limited to, medical residents and physicians and student members of athletic teams and Athletic Department coaches.
- There are, in addition, faculty/student relationships that are less clear because, although the faculty member does not have direct responsibility for the student, the faculty member may indirectly affect the student's academic evaluation or career opportunities. Such situations exist, for instance, when a faculty member serves on the fellowship committee in a graduate student's department. In such cases, careful adherence to the following ethical principles is required:
  - (i) an instructor must desist from expressions of sexual or romantic interest if there is any indication that such interest is unwelcome by the student,
  - (ij) no instructor may indicate, explicitly or implicitly, that an academic reward or punishment could result from the student's reaction to an instructor's sexual or romantic advances,

(iii) if a consensual sexual and/or romantic relationship develops between a student and instructor, the instructor should not thereafter take part in any activity that involves evaluation of the student's academic work or progress, without prior permission by the student's dean for good cause shown.

Any person who feels he or she has been subject to harassment in violation of this policy or otherwise believes that a violation of this policy has occurred can make an informal complaint to any Sexual Harassment Ombudsperson (a list of Ombudspersons may be found on the Temple University website at [www.temple.edu/eoc/ombudspersons.htm](http://www.temple.edu/eoc/ombudspersons.htm)). A formal complaint may be made by contacting the Office of Equal Opportunity Compliance.

All members of the Temple University community must review and abide by Temple University's Sexual Harassment Policy and the Policy on Preventing and Addressing Discrimination and Harassment, located on the Temple University Policies website at <https://policies.temple.edu>. Relationships between student workers and Temple University employees (including faculty) is subject to Temple University's policy on Conflict of Interest: Employment of Relatives, Nepotism and Consensual Romantic Relationships, Section 11.6.

## **12.5 Confidential Information**

In performing their duties for Temple University, employees and members of the faculty may have access to confidential information including, but not limited to, proprietary business information relating to Temple University and personal confidential information related to other employees, students, applicants, retirees and alumni. This includes information viewed online, in print, in other media or received verbally. Information to which employees have access is to be shared only as the business need requires.

The disclosure of confidential information to others who do not have a legal right to the information may violate the Family Educational Rights and Privacy Act of 1974 (FERPA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Gramm-Leach-Bliley Act (GLBA), and/or other federal, state, and local laws. Any employee who misuses or otherwise improperly discloses confidential information will be subject to disciplinary action, up to and including discharge of employment.

Any employee or faculty member who has access to confidential student information must review and abide by Temple University's Policy Regarding Confidentiality of Student Records, found at <https://policies.temple.edu>. Questions regarding this policy should be directed to the Registrar.

All employees and members of the faculty must review and abide by Temple University's Comprehensive Information Security Program found at <https://policies.temple.edu>. Questions regarding this policy should be directed to Temple University's Privacy Officer.

All employees and members of the faculty must review and abide by Temple University's Computer Usage Policy, found at <https://policies.temple.edu>. Questions

regarding this policy should be directed to the vice president for Computer and Information Services.

Any employee or faculty member who is asked to disclose confidential information to any person who does not have a legitimate business reason for obtaining such information, or any employee who is aware of other individuals who have disclosed confidential information in violation of this policy must report such an occurrence to his or her immediate supervisor or the Human Resources Department. Failure to report a violation of this policy may result in disciplinary action, up to and including discharge of employment.

## **12.6 Workplace Surveillance and Searches**

Temple University may authorize the use of reasonable surveillance and search measures to ensure a safe and appropriate work environment or in compliance with university policies and applicable law. Subject to legal requirements, the university reserves the right to inspect and search all work areas, desks, computers, university-owned cell phones, file cabinets, lockers, lunch boxes or other containers leaving university premises, as well as personal vehicles in university parking lots or public streets within campus boundaries or any other area within university control. In addition, all records contained in computers (including voice mail and email) and storage devices (including removable media) are open to inspection by the university in accordance with university policies, subject to applicable legal requirements.

## **12.7 Use of Communications Systems**

Most communication services and equipment have toll charges or other usage-related expenses. Employees should be aware of these charges and should consider cost and efficiency needs when choosing the proper vehicle for each business communication.

All communication services and equipment, including the messages transmitted or stored by them, are the sole property of the university and may be opened, reviewed and/or retained by Temple University in the normal course of business. Therefore, employees should not use a Temple University address (physical or electronic) to receive personal communications. Any employee who chooses to use Temple University communication systems and equipment for personal reasons must limit the usage in a manner that does not interfere with the employee's job duties. Communication systems may not be used to solicit or recruit for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

Employees and members of the faculty should exercise care so that personal correspondence does not appear to be an official communication of the university. Employees and members of the faculty should not use Temple University stationery or postage for personal letters. Employees and members of the faculty are not permitted to place personal mail in the stacks of Temple University mail that the university runs through its postage meter. Although the monetary value of a single postage stamp may appear insignificant to an individual, it is

significant on an aggregate basis. Consequently, individual misuse of the university's postage meter in this manner is considered theft of university property.

University telephones or mobile phones should be limited to university business. Employees and faculty members are required to reimburse Temple University for all charges resulting from their personal use of the telephone or mobile phone.

University computers, computer systems and networks may be used and accessed only by individuals approved by an authorized university official. Questions regarding authorization and permitted uses must be referred to the associate vice president for Computer Services and chief information security officer. (See Temple University's Technology Usage Policy at <https://policies.temple.edu>)

All employees and members of the faculty including consultants, contractors, temporary employees, and student workers as well as visitors are prohibited from using all communication services and equipment to violate any university policy including, but not limited to, Temple University's policies on Non-discrimination (see Section 11.1) and, Anti-harassment, Including Sexual Harassment (see Section 11.2).

## **12.8 Monitoring and/or Recording of Telephone Calls**

To provide quality customer service training, to review the quality of service provided by Temple University employees, and for other safety and/or security related reasons, certain departments may monitor and record telephone calls to and from Temple University telephone numbers. Callers are informed via a message on the initial recording that their call is being monitored and/or recorded. An employee or member of the faculty assigned to a department that monitors and/or records telephone calls should advise the Human Resources Department or Office of the Senior Vice Provost for Faculty Affairs and Development in writing if he or she does not consent to the monitoring and/or recording. Under such circumstances, the Human Resources Department, in conjunction with the Office of the Senior Vice Provost for Faculty Affairs and Development, if appropriate, will determine whether or not the employee or faculty member can be reassigned to a position that does not involve the monitoring and/or recording of telephone conversations. If reassignment is not an available option, the employee may be terminated.

## **12.9 Voice Mail, Email, Email Lists and Discussion Forums**

As with any other communication system, the voice mail and electronic mail systems are provided to enable Temple University employees to conduct university business and to perform their duties. As such, employees should not have an expectation of privacy with regard to any voice mail or electronic messages (including email) created, sent or received. Temple University encourages the exchange of information between members of its community. In order to foster such communications, Temple University permits the use of its computer servers by its various schools, colleges, programs and administrative

departments for various electronic mail distribution lists (such as Listserv lists) and discussion forums related to the academic mission and/or administrative objectives of Temple University.

Communications systems are not to be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. **In addition, personal messages or quotations on Temple emails or voicemails are prohibited.**

Temple University employees and faculty may not use the voice mail, electronic mail systems, Listserv lists or discussion forums to send, forward or create any messages that violate university policy including, but not limited to, Temple University's policies on Non-discrimination and Anti-harassment, including Sexual Harassment. (see Sections 11.1 and 11.2).

Employees and faculty members may not use the voice mail and electronic transport systems (including, but not limited to, the university network, Listserv or SMTP servers) to send (record or upload) or receive (retrieve or download) unauthorized copyrighted materials, trade secrets, proprietary financial information, confidential or personal information, or similar materials.

Employees and faculty members are advised that voice mail and electronic mail messages are not private or confidential. To the extent permitted by applicable law, Temple University reserves its right to review, audit, intercept, access and disclose all messages created, sent, received or stored using the university's voice mail or electronic mail systems for any legitimate Temple University business purpose including, but not limited to, investigations into whether or not the university's resources are being used in violation of university policies or for illegal purposes. The contents of voice mail or electronic mail created, sent, received or stored using the university's voice mail or electronic mail systems may be accessed or disclosed to or by Temple University without the permission of the employee. (See Section 12.6)

While Temple University has measures in place to secure email services, once an email is transmitted across the public internet, the contents are not protected unless specifically done so by the user utilizing encryption software. Encryption software, encryption strength and related handling procedures must be approved by the Associate Vice President for Computer Services and Chief Information Security Officer.

Unsolicited email is to be treated with caution and not responded to. All users are to ensure that all email is addressed to the correct recipients, especially when forwarding emails.

Limited, occasional or incidental use of emails (sending and receiving) for personal business purposes is acceptable as long as such use does not affect Temple University's ability to do business. Employees should exercise care so that personal correspondence does not appear to be an official communication of the university. (See Section 12.7)

Notwithstanding Temple University's rights to retrieve and/or read any voice mail or electronic mail messages, employees generally are required to treat all such messages as confidential. Absent express authorization, employees are not permitted to retrieve or read any email messages or listen to any voice mail messages that are not sent to them or intended for them. (see Temple University Computer Usage Policy) at <https://policies.temple.edu>.

Temple University permits the use of its computer servers by its various schools, colleges, programs and administrative departments for various electronic mailing lists (such as Listserv lists) and discussion forums related to the academic mission and/or administrative objects of Temple University. University hosted Listserv lists or other electronic mailing lists and discussion forums are not to be used for personal business.

By their nature, electronic mailing lists (such as Listserv) and/or discussion forums are not confidential. Temple University reserves its right to review, audit, intercept, access and disclose all messages created, sent, received or stored using an electronic mailing list or discussion forum on a university server for any legitimate Temple University business purpose including, but not limited to, investigations into whether or not the university's resources are being used in violation of university policies or for illegal purposes. Temple University may, in its sole discretion, restrict any employees' access to or ability to use electronic mailing lists or participate in discussion forums if it determines that the user or users have violated any Temple University policy or directive in connection with the use of such listserv or discussion forum.

Any employee or member of the faculty who discovers a violation of this policy must notify his or her supervisor immediately. If the supervisor is the offending party, the employee or faculty member should notify the Office of the Vice President for Computer and Chief Information Officer and/or the Department of Human Resources.

Any employee or faculty member who violates this policy or uses the voice mail or electronic mail systems for improper purposes may be subject to disciplinary action, up to and including discharge.

## **12.10 Internet Usage and Computer Games**

Temple University's computer systems are the university's property and access is provided to employees as needed to facilitate job performance. Employees or members of the faculty should not use the internet for personal business during working time. Rather, such use should be limited to non-working time such as during lunch, authorized work breaks and after working hours.

Users of Temple University's computer system are subject to the same standards that apply to other employee communications, including the Non-discrimination Policy (see Section 11.1) and Anti-harassment, Including Sexual Harassment Policy (see Section 11.2). When

using the computer system, employees should not download, create, forward or send materials in violation of any Temple University policy (see Section 12.9). Any employee or faculty member who uses the computer system for improper purposes shall be subject to disciplinary action, up to and including discharge. Any employee or faculty member who receives materials on his or her computer system that he or she believes violate a university policy should contact the Office of the Vice President for Computer and Chief Information Officer and/or the Human Resources Department. See Temple University's Technology Usage Policy at <https://policies.temple.edu> .

## **12.11 Office Attire**

Appropriate business dress, grooming and personal cleanliness standards do contribute to the morale of all employees and affect the business image the university presents to students, visitors and the public. Therefore, during business hours and while on university business or premises, employees are expected to present a clean appearance and to maintain acceptable personal hygiene standards. Please do not wear/exhibit anything that other employees might find offensive or that might make coworkers uncomfortable, including offensive tattoos and/or jewelry.

If an employee is unsure of the appropriateness of a particular piece of clothing, the employee should choose not to wear it. Standards for office attire may vary by department. It is the responsibility of the administrative department head or dean to consult with the Department of Human resources and/or Office of Faculty Affairs and Faculty Development before implementing any office attire standards. Violation of Standards for Office Attire may result in disciplinary action.

## **12.12 Outside Activities or Employment/Consulting**

Employees are expected to be able to perform their work as efficiently and effectively as possible at all times. While work for other employers is not prohibited, hours worked in outside employment must not coincide or conflict with hours of work for the university. Employees may not work on non-Temple related business during work hours. Outside employment and activities must not detract from work responsibilities at the university nor create a conflict of interest. Questions about whether or not an outside activity or other employment would constitute a conflict of interest should be directed to supervisors and/or the Human Resources Department.

If Temple University determines that an employee's outside work interferes with performance or the ability to meet the requirements of Temple University, as modified by Temple University from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with Temple University.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals or entities outside Temple University for materials produced or services rendered while performing their University jobs.

If Temple University pays the fee required for an employee to perform a specific function, such as notary status, the employee may not retain personally any fee charged to Temple employees or departments for Temple University-related business.

The university recognizes that consulting may be a valuable form of community service that contributes to the professional development of administrative officials and serves to enhance the university's reputation and standing. For this reason, officers, professional administrative personnel, and faculty are not precluded from entering into consulting arrangements.

Any administrator engaged in consulting services must account for time away from Temple University business by using personal and/or vacation days. Faculty may devote an average of one day per calendar week during the contract period toward consulting services subject to prior approval of their Dean.

Administrative personnel must obtain approval from their department head prior to entering into a consulting arrangement. See also Faculty Guide, Section VIII. C– Extra Compensation.

Temple University may require any administrator or faculty member to cease consulting when it determines that such services are inconsistent with the policies of Temple University or otherwise interfere with the individual's ability to perform the duties and responsibilities of his/her position. See Conflicts of Interest: Faculty (Section 11.7), Conflicts of Interest: Employees (Section 11.5) and Outside Activities or Employment (Section 12.12).

### **12.13 Smoking in the Workplace**

The university wants to promote a healthful and clean work environment for students, employees and visitors. Further, in accordance with Philadelphia ordinances and Pennsylvania's Clean Indoor Air Act, every employee has the right to work in an area free of environmental tobacco smoke. To protect the health of the university community, the university designates all buildings smoke-free.

Smoking in vehicles owned or leased by the university is prohibited. Smoking is also prohibited within 25 feet of a main entrance, exit or operable window of a university building. (See University Policy on Smoking at <https://policies.temple.edu>).

Employees and members of the faculty are encouraged to contact the Human Resources Department for information concerning cessation programs. The success of this policy depends on the thoughtfulness, consideration, and cooperation of smokers and nonsmokers.



The university community shares in the responsibility for adhering to and enforcing this policy.

#### **12.14 Solicitations and Distribution of Literature**

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, unless related to university business or approved in advance by the university, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time or to those on working time or in any working areas. The use of email to distribute literature or printed material of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause that is unrelated to university business is also prohibited, unless prior approval by the university has been granted.

#### **12.15 Emergency Closings**

This policy applies to all Temple University full-time and part-time employees including faculty and establishes guidelines for all university campuses during periods of extreme weather conditions or other emergency situations. Temple University Hospital, its affiliates, Temple University Physicians, and all clinical programs (clerkships, residencies and patient care) are not included in this policy.

Temple University will assume normal operations unless otherwise specified by the Executive Vice President or Senior Officer designated by the President. Schools, colleges, departments and offices may not cancel classes or close independently. Temple University classes will operate normally except under the most severe weather conditions that pose a threat to public safety or make it impossible for significant numbers of students to attend.

Faculty are expected to consult with their dean's offices regarding the status of class postponements. Essential employees are required to report for duty and to perform their duties despite the notification of a weather-related emergency. Employees are advised to consult with their supervisors to determine whether they are essential or non-essential employees, and to obtain specific information about the proper reporting procedures.

Students are encouraged to notify their professors in the event that they are unable to attend classes due to weather conditions that do not result in delayed openings or campus closings. Day classes are those beginning prior to 4:30 p.m. and evening classes are those beginning at 4:30 p.m. or later.

##### **A. Cancellation of Classes**

In the event of inclement weather conditions or other situations that cause a disruption in university operations, a decision may be made to close or delay the opening of one or all university campuses. In addition, a decision may be made to cancel or postpone classes, while campuses remain open for business. In the event of the cancellation or delayed start time of classes, all employees are required to report to work as usual.

Emergency notification will be initiated in the form of an email, text message and/or phone call via TU ALERT. Information will be posted to the Temple University home page ([www.temple.edu](http://www.temple.edu)) and distributed to appropriate news outlets. Emergency hotline (215-204-1975) recording will be available.

#### Radio Broadcast Class Cancellation Numbers

Temple University participates in an inclement weather notification program with the City of Philadelphia. The following KYW 1060 radio broadcast cancellation numbers are assigned to Temple University. Please note that the Health Sciences Center and the School of Law are included under the 101 and 2101 numbers.

- 101 Day class cancellations for all schools and colleges on Main Campus, Health Sciences Center and TUCC
- 2101 Evening class cancellations for all schools and colleges on Main Campus, Health Sciences Center and TUCC
- 181 School of Podiatric Medicine
- 426 Day class cancellations for Ambler and Fort Washington
- 2426 Evening class cancellations for Ambler and Fort Washington

Faculty members are expected to cover their classes during severe weather days on which classes continue to be held.

#### Emergency Closure of University

In the event of an emergency closing of the university due to extreme weather or other emergency situations, the President, the Executive Vice President for Administration, or his or her designee, will make an announcement. No other university official is authorized to announce an emergency closing or to excuse personnel from the performance of their responsibilities. In the event of an emergency closure of the University, only employees designated as essential by their supervisors should report to work.

#### Essential Employees

All essential employees are required to report to work as usual even if the university has announced an emergency closing. Unless notified to the contrary, “essential employees” shall be persons working in the following departments:

- Campus Security and Police
- Facilities Management
- Parking
- Telecommunications
- Student Housing
- Payroll
- Student Health Services
- Student Recreational Services
- Library and Computer Labs
- Computer Services

For emergency purposes, faculty who are key to the academic mission of the university may be designated “essential employees”. If you are unsure of the status of your position as it pertains to this policy, please consult with your supervisor.

#### B. Communications

All university employees including faculty will be required to provide their immediate supervisor with accurate phone, work location and emergency contact information for this purpose. Employees may only rely on the following sources to determine whether or not the university is open:

TU ALERT system

Voice mail messages from department head or designee

Temple Radio Station: WRTI 90.1 FM

Temple University Hotline 215-204-1975,

“What’s New” message on the Temple University website at [www.temple.edu](http://www.temple.edu).

During a potential emergency, it is the responsibility of every employee to check with the hotline, website and/or radio station to get updated information.

#### C. Compensation

- In the event that the university declares a full- or partial-day emergency closing, non-essential employees will be excused/released from work. Under such circumstances, non-essential employees will be paid for that day; however, hours not actually worked by any employee will not count towards the computation for overtime for that pay period.
- All non-represented essential employees who work during any authorized emergency closure will be compensated at their regular rate of pay; those eligible for overtime will be compensated at time and a half for all overtime hours. Represented employees shall be compensated pursuant to the terms of their bargaining agreement. Essential employees who fail to report to work as required will not receive compensation for time missed and may be subject to disciplinary action.
- An emergency closing will have no effect on those employees who are scheduled for vacation, personal or sick leave on the day the closing is announced. Those employees will be charged for the vacation, personal or sick leave.
- This policy does not apply to temporary employees and student workers who are paid only for hours worked.

#### D. Emergency Contact Information

All university employees, including faculty, are required to provide their immediate supervisor with accurate phone, work location and emergency contact information for this purpose. Employees should also update their emergency contact information in Self Service Banner, which is available on TUportal.

In the event of an emergency, TU will also use the TUALERT system for communicating with employees. All employees are required to register for this service on Self Service Banner.

## **12.16 University Investigations and Internal Hearings**

Temple University may, from time to time, conduct internal investigations and/or hold Student Code of Conduct Hearings, Grievance Step Hearings, Complaint Resolution Proceedings, NCAA Compliance Investigations, Accident & Injury Investigation, Labor Arbitrations, any other investigations related to University employment in accordance with applicable university policy or applicable collective bargaining agreements.

All employees are required to cooperate with university authorities in any University proceedings. Such cooperation includes, but is not limited to, preparation time and attendance at the proceedings. Employees and members of the faculty who are asked to provide information or attend proceedings will be permitted to do so during working hours.

Employees and members of the faculty must provide honest, truthful and complete information to the best of their knowledge. An employee who believes that providing such information would subject him or her to criminal prosecution may refuse to testify or otherwise provide Temple with the requested information. However, Temple University will consider the refusal in determining what discipline, if any, is warranted. Failure to cooperate is a violation of this policy and will result in discipline, up to and including, termination of employment.

Any individual, who feels that he or she has been retaliated against or has been threatened with retaliation as a result of his/her participation in this process, should immediately contact the Associate Vice President of Human Resources, the Senior Vice Provost of Faculty Affairs, the Office of Equal Opportunity Compliance or the Title IX Coordinator.

## **12.17 Use of University Property**

All Temple University employees must abide by any policy, regulations, procedures and/or guidelines issued by Campus Safety Services, Internal Audit, and other administrative units or imposed by federal, state or local law in connection with the use or occupation of Temple University property including, but not limited to, office/laboratory space and common areas. These policies and procedures include, but are not limited to, federal, state and local laws and/or regulations governing fire and safety, workplace safety (OSHA), ventilation and evacuation. Employees or faculty members who violate such policies and procedures will be subject to disciplinary action, up to and including restrictions on the use of Temple University property/space or termination of employment. For more information refer to Section 11.14 on Safety.

## **12.18 Procurement and Use of Cellular Equipment**

Temple University employees, whether full-time or part-time, may be eligible for university-supplied cellular service when certain job demands cannot be conducted on a landline telephone and/or require accessibility regardless of time or place. Requests for cellular equipment and service must be approved by the appropriate department budget unit head. All cellular equipment and cellular service charges must be processed through the Office of Telecommunications.

When provided, cellular service is for business purposes and the cost of any personal use of cellular services must be reimbursed to the university. See also policy on Procurement and Use of University-Supplied Cellular Equipment at <https://policies.temple.edu>.

## **12.19 Employment Compliance with NCAA Regulations**

National College Athletic Association (NCAA) rules prohibit any Temple University employee (including faculty, administrators and staff) from providing extra benefits to a currently enrolled student-athlete (or their relatives or friends). An extra benefit is broadly defined by the NCAA to include any special arrangement by a Temple employee to provide an enrolled student-athlete (or his or her relatives or friends) with something that is not generally available to the general student body of Temple University, unless expressly authorized by the NCAA legislation.

Examples of extra benefits prohibited by NCAA rules include, but are not limited to:

- transportation to any location outside a 30-mile radius of campus; free or reduced merchandise or services (including things as minor as an offer of a car ride home at break) unless that free or reduced cost item is also available to the general public;
- a meal at a restaurant as the guest of an athletic booster or a university employee;
- use of a department telephone to make long-distance personal calls;
- Holiday or other gifts unless given to all students in a particular group. For example, a supervisor of student workers (if the student workers include athletes and non-athletes) can opt to distribute a holiday gift or perk to all of the supervisor's student workers, but cannot give a holiday gift only to an enrolled athlete who is also a student worker.

The above list of extra benefits is for illustration purposes only and does not constitute a comprehensive listing of extra benefits prohibited by NCAA rules. Employees who have questions about what may constitute an extra benefit should contact the Athletic Compliance Officer for further guidance.

Any student-athlete who accepts an extra benefit is in violation of NCAA regulations, thereby jeopardizing the student-athlete's eligibility for intercollegiate competition. The university will take appropriate disciplinary action against any employee found to have provided a student-athlete with an extra benefit as defined by the NCAA regulations. Such action may include, but is not limited to, restricting the employee's involvement with the

university's athletics program and/or other disciplinary action up to and including termination of employment.

Temple University provides training to employees involved in intercollegiate athletics to ensure that each employee maintains competency in knowledge of the rules; acts within his or her realm of responsibility in full compliance with the governing legislation; and is aware of his or her obligation to report any violation of NCAA, conference and/or institutional rules of which he or she is aware. Employees with questions concerning NCAA, conference or institutional rules or his or her involvement with intercollegiate athletics should contact the athletic compliance office.

## **Your Employment File**

### **13.1 Official Personnel File**

The Human Resources Department creates and maintains an official personnel file for each employee. The “official personnel file” includes information maintained by Temple University relating to employment. The Human Resources Department is responsible for establishing procedures to maintain the personnel files, protect the confidentiality of the personnel files, and for an employee or authorized person to review the personnel file.

#### Access to Personnel File

Access to the information contained in these files is restricted. With reasonable notice, employees may review their personnel file once per year by contacting the Human Resources Department during normal business hours. The review must take place in the office and in the presence of an individual appointed by the university to maintain these files.

All inquiries or requests for personal information must be sent to the Human Resources Department at 215-926-2201.

## **Leaving the University**

### **14.1 Termination of Non-introductory Employees**

Non-bargaining unit employees are employed “at will” and, as such, serve at the pleasure of the university. However, all departments must consult with the Human Resources Department to review a decision to terminate any Bargaining or Non-Bargaining Unit employee prior to the actual termination.

### **14.2 New Hire: Discharge of an Introductory/Probationary Employee**

The Human Resources Department encourages departments to work with any new employee to define performance expectations, provide feedback to the employee during the introductory/probationary period and to provide the employee with at least 30 days to meet those expectations in accordance with Temple University’s Introductory/ Probationary Period Policy (Section 10.7) prior to recommending the employee’s discharge to the Human Resources Department.

Advance notice of termination for cause is not required; however, all departments must consult with the Human Resources Department prior to the termination. Introductory terminations are not subject to dispute resolution.

### **14.3 Resignation**

When resigning from Temple University, an employee should notify his or her supervisor in writing and the Human Resources Department at the earliest possible date; however, non-bargaining employees in all pay grades must provide at least 2 weeks written notice of resignation in order to be eligible to receive payment for unused vacation time. Employees covered by a collective bargaining agreement are subject to the terms of that agreement. In no case shall vacation time be added to extend the final date of employment, however, the university may agree to substitute paid leave for the notice period under certain circumstances.

At the time of employment separation, vacation time earned and not used will be paid out in an employee’s final paycheck or no later than the next regularly scheduled payroll. If an employee has used more vacation time than he or she has earned when the employee’s employment is terminated (for any reason), an adjustment for the overage will be made in the final paycheck, as permitted by law. Employees covered under collective bargaining agreements are subject to the vacation and resignation provisions specified in their respective union agreements.

#### **14.4 Retiring from the University**

All full-time employees are eligible to retire from Temple University after 10 years of continuous service, provided they are at least age 62.

There may be benefit implications for any employee or faculty member who chooses to leave Temple University prior to reaching 62 years of age. In all cases, all retiring employees and faculty members are advised to contact the Benefits Office in Human Resources (215-926-2270) as soon as possible to discuss benefit implications from their proposed retirement.

#### **14.5 Non-Bargaining Employee Dispute Resolution**

Temple University strives to resolve complaints and disputes arising from employment with the university whenever possible. Employees are strongly encouraged to avail themselves of one or more of the following options:

- Discuss the problem with the supervisor.
- Discuss the problem with the unit manager or the next level supervisor.
- Consult with the Human Resources Department.
- Consult with the office of Institutional Diversity, Equity, Advocacy and Leadership (IDEAL).
- Consult with the Office of Equal Opportunity Compliance

Supervisors/Managers should consult with the Human Resources Department or Office of Equal Opportunity Compliance whenever the complaint or dispute involves a potential violation of any Temple University policy.

Members of a bargaining unit should consult their collective bargaining agreements. The decision to terminate an introductory/probationary employee is not subject to the dispute resolution provisions in this section.

#### **14.6 Reduction in Force**

The determination that the university is required to reduce the workforce because of fiscal conditions, programmatic changes or reorganization changes is a determination entirely within the discretion of the university.

A non-bargaining employee who is released as a result of a reduction in force has no immediate placement rights to be considered for employment opportunities.

Employees covered by collective bargaining agreements are subject to the provisions of the appropriate agreement and should refer to their contract.



## **14.7 Severance**

Temple University awards severance to full-time, regular, non-bargaining employees whose employment is involuntarily terminated by Temple University due to job elimination or reduction in workforce. Union employees' severance is governed by their contracts. Employees discharged for poor performance or reasons other than layoff due to lack of work are not eligible for severance payments under this policy. Introductory/Probationary employees are not eligible for severance.

The following table sets forth guidelines for severance:

Years of Service	Weeks of Paid Severance
0-1	0
1-3	2
3-5	4
5-7	6
7-10	8
10-15	10
15-19	12
20-24	15
24-29	18
29+	21

## **14.8 Vacation Pay upon Termination**

Employees who are terminated or employees who resign with proper notice shall be entitled to receive pay for earned but unused vacation. If an employee has used more vacation time than he or she had earned when the employee's employment is terminated (for any reason), an adjustment for the overage will be made in the final paycheck, as permitted by law. (See Section 8.5)

Employees covered under collective bargaining agreements are subject to the vacation provisions specified in their respective union agreements.

The lump sum payment is made upon termination whether by resignation, retirement or dismissal. Termination does not include transfer from one university department to another.

## **14.9 Exit Process**

All employees leaving the employ of the university are required to participate in an exit process, which may include:

- Reviewing the departing employee's benefit coverage.

- Securing items, including but not limited to, identification cards, equipment, uniforms, keys and parking decal.
- Reviewing possible delinquent obligations, the employee has to the university.
- Reviewing the personnel file; which will be retained for seven years after the employee's separation from Temple University.
- Obtaining a forwarding address, telephone number and email if applicable.

The employee's supervisor should contact the Human Resources Department to initiate the exit process. All employees who voluntarily leave Temple University are encouraged to complete an exit interview with the Human Resources Department. Employees should contact the Human Resources Department to schedule this meeting as soon as they give notice to their supervisor. Electronic exit interview forms can be found in the TU Portal. For questions, contact Employee Relations at 215-926-2290.

#### **14.10 References**

The Human Resources Department is the only department authorized to provide official references for current or former employees. Any request for a reference must be in writing and directed to the Human Resources Department. Temple University will only provide dates of employment, title, position/job duties and confirmation of salary via the Work Number [https://www.temple.edu/hr/departments/payroll/talx\\_dev.htm](https://www.temple.edu/hr/departments/payroll/talx_dev.htm)

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#### **14.11 Credit Requests**

Upon a written request from an employee, the Human Resources Department will complete a credit request submitted by a financial institution or other authorized organization via the Work Number [https://www.temple.edu/hr/departments/payroll/talx\\_dev.htm](https://www.temple.edu/hr/departments/payroll/talx_dev.htm)





## **APPENDIX 1**

### **Relevant Laws and Related Criminal Sanctions For Illegal Alcohol and Drug Use**

In addition to university sanctions, any employee who violates applicable alcohol or drug policies will be subject to criminal prosecution and penalties under applicable local, state, and federal laws.

#### **Alcohol**

The [Pennsylvania Liquor Control Board website](#) explains alcohol and the law in the state of Pennsylvania, programs and resources available, as well as provides information for parents. Below are the applicable restrictions on alcohol in the state of Pennsylvania.

1. The Pennsylvania Liquor Code, 47 Pa., C.S.A., 1-101 et seq., controls the possession and sale of alcoholic beverages within the Commonwealth. The Code as well as portions of the Pennsylvania Statutes pertaining to crimes and offenses involving minors, 18 Pa., C.S.A. 6307 et seq., provides the following:
2. It is a summary offense for a person under the age of twenty-one to attempt to purchase, consume, possess or knowingly and intentionally transport any liquor or malt or brewed beverages. Penalty for a first offense is suspension of driving privileges for 90 days, a fine up to \$300 and imprisonment for up to 90 days; for a second offense, suspension of driving privileges for one year, a fine up to \$500, and imprisonment for up to one year; for subsequent offense, suspension of driving privileges for two years, a fine up to \$500 and imprisonment for up to one year. Multiple sentences involving suspension of driving privileges must be served consecutively.
3. It is a crime intentionally and knowingly to sell or intentionally and knowingly to furnish or to purchase with the intent to sell or furnish, any liquor or malt or brewed beverages to any minor (under the age of twenty-one). "Furnish" means to supply, give or provide to, or allow a minor to possess on premises or property owned or controlled by the person charged. Penalty for a first violation is \$1,000; \$2,500 for each subsequent violation; imprisonment for up to one year for any violation.
4. It is a crime for any person under twenty-one years of age to possess an identification card falsely identifying that person as being twenty-one years of age or older, or to obtain or attempt to obtain liquor or malt or brewed beverages by using a false identification card. Penalties are stated in (2) above.
5. It is a crime intentionally, knowingly or recklessly to manufacture, make, alter, sell or attempt to sell an identification card falsely representing the identity, birth

date, or age of another. Minimum fine is \$1,000 for first violation; \$2,500 for subsequent violations; imprisonment for up to one year for any violation.

6. It is a crime to misrepresent one's age knowingly and falsely to obtain liquor or malt or brewed beverages. Penalties are as stated in (1) above.

7. It is a crime knowingly, willfully and falsely to represent that another is of legal age to obtain liquor or malt or brewed beverages. Penalty is a minimum fine of \$300 and imprisonment for up to one year.

8. It is a crime to hire, request or induce any minor to purchase liquor or malt or beverages. Penalty is a minimum fine of \$300 and imprisonment for up to one year.

9. Sales without a license or purchases from an unlicensed source of liquor or malt or brewed beverages are prohibited.

10. It is unlawful to possess or transport liquor or alcohol within the Commonwealth unless it has been purchased from a State Store or in accordance with Liquor Control Board regulations. The University will cooperate with the appropriate law enforcement authorities for violations of any of the above-mentioned laws by a employee.

11. The use in any advertisement of alcoholic beverages of any subject matter, language or slogan directed to minors to promote consumption of alcoholic beverages is prohibited.

## **Drugs and Controlled Substances**

1. The Controlled Substance, Drug, Device and Cosmetic Act, 35 Pa. C.S.A. 780-101 et seq., sets up five schedules of controlled substances based on dangerousness and medical uses. Penalties for first-time violators of the Act range from thirty days imprisonment, \$500 fine, or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to fifteen years or \$250,000 or both for the manufacture or delivery of a Schedule I or II narcotic. A person over eighteen years of age who is convicted for violating The Controlled Substance, Drug, Device and Cosmetic Act, shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1,000 feet of the real property on which a university is located, the person shall be sentenced to an additional minimum sentence of at least two years total confinement.

2. The Pharmacy Act of 1961, 63 Pa. C.S.A. 390-8 makes it unlawful to procure or attempt to procure drugs by fraud, deceit, misrepresentation or subterfuge or by

forgery or alteration of a prescription. The first offense is a misdemeanor, with a maximum penalty of one year's imprisonment, a \$5,000 fine, or both.

3. The Vehicle Code, 75 PA, C.S.A. 3101 et seq., which was amended effective July 1, 1977, prohibits driving under the influence of alcohol or a controlled substance, or both, if the driver thereby is rendered incapable of safe driving. A police officer is empowered to arrest without a warrant any person whom he or she has probable cause to believe has committed a violation, even though the officer may not have been present when the violation was committed. A person so arrested is deemed to have consented to a test of breath or blood for the purpose of determining alcoholic content, and if a violation is found it carries the penalties of a misdemeanor of the second degree, which includes imprisonment for a maximum of thirty days.

4. The Federal drug laws, The Controlled Substances Act, 21 U.S.C. 801 et seq., are similar to the Pennsylvania Controlled Substance, Drug, Device, and Cosmetic Act, but contain, for the most part, more severe penalties. Schedules of controlled substance are established, and it is made unlawful knowingly or intentionally to manufacture, distribute, dispense, or possess with intent to distribute or dispense a controlled substance. If the quantity of controlled substance is large (e.g. 1,000 kg of a mixture or substance containing marijuana), the maximum penalties are life imprisonment, a \$4,000,000 fine, or both. Lesser quantities of controlled substance (e.g. 100 kg of a mixture or substance containing marijuana) result in maximum penalties of life imprisonment, a \$2,000,000 fine, or both. The distribution of small amounts of marijuana for no remuneration or simple possession of a controlled substance carries a maximum of one year's imprisonment, a \$5,000 fine, or both, with the penalties for the second offense doubling. Probation without conviction is possible for first offenders. Distribution to persons under the age of twenty-one by persons eighteen or older carries double or triple penalties.

Double penalties also apply to the distribution or manufacture of a controlled substance in or on or within 1,000 feet of the property of a school or college.

## **Health Risks**

Health risks associated with the use of illicit drugs and abuse of alcohol are varied. Among the many risks to the individual are brain damage, cirrhosis of the liver, cancer, ulcers, heart ailments, impotence, fetal alcohol syndrome, depression, paranoia, memory loss, blackouts, psychological and emotional problems, hypertension, eating disorders, loss of coordination, poor vision, and gastrointestinal problems.

- **Alcohol.** Alcohol consumption causes a number of changes in behavior and physiology. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy

lifestyle. According to the [National Institute on Alcohol Abuse and Alcoholism](#) binge drinking is defined as a pattern of alcohol consumption that brings the blood alcohol concentration (BAC) level to 0.08% or more. This pattern of drinking usually corresponds to 5 or more drinks on a single occasion for men or 4 or more drinks on a single occasion for women, generally within about 2 hours.

- **Narcotics.** Drugs included in this classification include opium, morphine, codeine, heroine, OxyContin, Percocet and other opium derivatives and synthetics. The first or second administration of narcotics results in a tremendous euphoric feeling that cannot be repeated due to the rapid development of tolerance to the drug.
- **Amphetamines.** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.
- **Cannabis (Marijuana, Hashish).** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Frequent users often have a lowered immune system and an increased risk of lung cancer.
- **Cocaine/Crack.** The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.
- **Hallucinogens.** Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the area of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.
- **Heroin.** Heroin is an opiate drug that causes the body to have diminished pain reactions. Heroin is physically addictive and users develop a rapid tolerance to the drug; the user must continue ingesting the drug to avoid withdrawal symptoms. This and other opiate drugs (morphine, codeine, heroine, OxyContin, Percocet) are respiratory depressants; use can be associated with coma and death.

Source: University of Pennsylvania, 2012.



## Employee Acknowledgment Form

I hereby acknowledge that I have received and reviewed a copy of Temple University's Employee Manual. I have been advised that I must read the Employee Manual and abide by its terms as a condition of continued employment and have agreed to do so. I further understand that nothing in this Employee Manual constitutes a contract, express or implied and that Temple University, in its sole discretion, may modify, alter, delete, suspend or discontinue any part or parts of the policies in this manual at any time, with or without prior notice to its employees. Unless otherwise specified, any such change to the Employee Manual shall apply to existing as well as future employees. I understand that the Human Resources Department is responsible for developing and implementing personnel policies. Policies or procedures in this manual may change with approval of the appropriate university officer. I also understand that I cannot rely on or otherwise interpret a statement or promise by a supervisor, manager or department head as constituting a change in policy, nor will any such statement or promise constitute an agreement between the university and an employee. I understand that the official copy of the Employee Manual is found on the Human Resources website at [www.temple.edu](http://www.temple.edu) and that it is my responsibility to review the most current version of any policy on that website.

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EMPLOYEE NAME

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EMPLOYEE SIGNATURE

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EMPLOYEE ID NUMBER

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DATE